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COTTON AND THE COTTON PLANTERS.

So far as agricultural experiment has accompanied the researches of man into the productive capabilities of the different portions of the earth, it seems to be settled, that in the United States of America there is a small parcel of ground destined to supply the world with COTTON. Great efforts have been made to extend its cultivation into different countries, but hitherto the same parallel of latitude, soil somewhat similar in some respects, and climates not greatly dissimilar, have been appealed to in vain. A small sickly production, with frequent total failures of crops, and for the most part a weak and almost useless fibre, has been the reward of enterprise and industry in attempting to cultivate cotton beyond the little strip of land composing S. Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Texas and a very small portion of Tennessee.

The fact that this small portion of land has mainly to supply the world with cotton, is at *present* not very important, for it does not require the whole of all the available land in it, to do it with ease. But when we reflect that as yet, *cotton is just beginning to be used a little*: that half the world has scarcely heard of it even as an article of clothing, and that there are yet large channels of consumption in which it must supercede some of the various kinds of hemp, flax, bark, wool and silk, in the fabrication of cloth for various purposes, the mind reels and hesitates in attempting to anticipate the demand for cotton in even twenty or fifty years from this time. Before long six hundred millions of people are to be *clothed* chiefly in cotton, which

alone will require seven or eight millions of bales. A like quantity will be required to supply all other household, agricultural, mechanical and commercial purposes; and moreover, *the navies and merchant vessels of the world are to be clothed mainly in cotton.* Who then, can anticipate, or who dare to write, statistically, in regard to the wants of the world in this respect, when cotton shall have gone into general use?

And what else have we recently seen and heard? Science tells us that hereafter *gunpowder, for all explosive purposes, is to be entirely superceded by cotton!* If this be so, (and if well attested facts can be relied upon there seems to be no good reason to doubt it) a very large, and surely a very novel channel of consumption is to be opened very soon.

There are two great facts that seem to be apparent:—First, the consumption of cotton in the world is to increase greatly for fifty years to come, and secondly, this increase is to be in the United States.—For it seems, as before observed, that cotton can only be raised profitably or advantageously here. Why this is so, is foreign to our present purposes, but that there is in this question some strange facts, is very apparent. In the wilds of Mexico, beyond the Del Norte, cotton is indiginous, or is supposed so to be; and yet it cannot be *cultivated* there to advantage. It is known to grow in parts of that country hundreds of miles from any habitation, and yet it requires to be transplanted to the Gulf of Mexico, in order to be cultivated advantageously. The time is coming then, and may not be a generation off, when every acre of *cotton land* will be looked upon with interest, and when the cotton region will be a region of health, wealth and prosperity.—Cotton planters have a brighter prospect before them than any other agriculturalists. Growers of food may be better paid now, in some instances; but the principle articles of food will grow any where—while CLOTHING, the other great article of human consumption, will grow no where else but *here*.

Whether we regard the cultivation of cotton then, as it exists at present, or in its prospective appearances, it is the most important branch of agriculture in the world; and yet we may venture to believe that it is prosecuted with less economy and enterprise than any other considerable branch of business in our country. There is a slovenliness about it, almost universally seen, that is really unaccountable, since it is admitted that cotton planters are among the most intelligent and well informed of our citizens. Why it is that agriculture is so far behind the enterprise of the age we live in, cannot

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be told—nor are we able to tell why cotton growing is so far in the rear of the very slow march of the other branches of agriculture around us. But that it is so, is but too apparent. If it was not in too bad taste, I would just allude here, by way of parenthesis, to my negro man John. He is the best fellow to work in the world, but never knows or cares *what* he is doing, or *how* he is doing it; to *do enough of it*, is his sole aim. It is hoped the refined and intelligent planter will pardon this unseemly piece of pleasantry.

The cultivation of cotton, as a branch of productive industry, ought to take the lead in agriculture. But instead of this, it lags lazily behind every thing else. The fact, that unlike other articles it cannot be raised in different climates or latitudes, shows the similarity that would be observed, were the best plans generally adopted. It is a fact, too, that there is a much greater diversity in the profits arising from cotton plantations than from other agricultural investments; for while some yield large profits others do not pay expenses. And it is also true that the cotton we sell at the lowest range of prices, costs us nearly as much as that which sells at twice the money. Another reason why cotton growing ought to take the lead in agriculture, is, that with us, it is more of an exclusive business than the product of any one article is with the farmer of the West or North. And moreover, it is supposed, that without disparagement to any, it may be assumed that cotton growers, as a class, are more intelligent and better informed than the mass of farmers generally. We do not say they are more intelligent *farmers*, or better informed *in their business*—that is the very thing complained of.

As a proximate cause to these disadvantages under which the country labors, one or two things may be hinted at. There is among the cotton planters no dissemination or concentration of professional knowledge or practice. No means are in use—no money is expended to conduct an interchange of opinions. The views, theories and experience of one man, be they ever so sound and valuable, are of no public utility whatever, and consequently, in many instances, of but limited benefit to himself. Every farmer lives in an agricultural world of his own. He is monarch of all he surveys, but holds no communion with the rest of the world. His fence is his Chinese walls, and his grandfather's ghost is his emperor. The *man* goes abroad often enough, but the *farmer* never. It is thought by many that at this time it would be greatly to the advantage of the planter if the amount of the crop could be known. Well, most certainly the number of bales could as well be counted on

the first of November as July. At the middle of March next every planter ought to know precisely the number of acres of cotton, corn &c., to be planted the next year, with a thousand other items of profitable information. Look at commerce, with his thousand cohorts his million of couriers and his army of printers! a merchant scarcely thinks until every other merchant catches the sound and profits by it. Every mercantile operation is influenced, more or less, by every other similar one, all over the country. Merchants act advisedly—farmers in the dark. How many agricultural newspapers are there in the country? Two or three seven-by-nines, starving for patronage! When and where do agriculturalists assemble for consultation. Who legislates for agriculture? Who pleads her cause or sustains her interests? Are we not content with the notion that agriculture, like a town in the country I once heard of, is *finished*?

Again it might be stated, that farmers are opposed to innovation. There is almost an organised opposition to change or reform in any particular. A slight modification in a plough or a hoe, once in a great while, might possibly be tolerated; but any kind of change in plan or arrangement—any doing of a thing different this year from what it was last, or from what "every body always done it," is "*theorising*," the highest crime known to the laws forbidding innovation.

Considering then, the many positive and negative disadvantages under which the cotton grower labours, is it not strange that a spirit of enterprise and economy is not cherished and prosecuted more than it is? Allow then Mr. Editor, to be pointed out, some of what are conceived to be the most glaring and easily remedied errors under which our business labours, and which may probably result in part from some of the above named disadvantages.

In relation to THE GROUND WE PLANT there is much room for reformation. *To wear out land*, or to make it *grow poorer* by cultivation, is unquestionably bad farming. We know that agricultural chemistry is too young to enable us to apply science properly in this respect; yet we all know that the propagation of particular plants requires the use of particular properties in the soil; and as these properties become exhausted unless they be restored the land becomes poor. Now, obviously, the proper course is to restore to the land as much as practicable of the *same thing* we take away. That portion of the product we send to market we cannot restore *in kind*, but surely we can and ought to restore all the rest. The best vegetable manure certainly is that which the land produced, especially if the same crop is to be raised the next year.

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But instead of that we see many persons refuse even to let the land have the cotton stalks back again, but actually *burn them up!* The seed too, are in many instances as unjustly withheld, or if restored at all, it is after the rains of a winter or two have destroyed the most of its fructifying quality. That which we necessarily remove from the soil, and cannot therefore restore in kind, we can easily restore in some other way. In fact if we afford the opportunity Nature will do it herself. Land has a resuscitating and invigorating tendency, or in other words Nature is constantly endeavoring to bring back impoverished land to its original state of richness. This supply of that of which the land has been robbed, is derived chiefly from the atmosphere; and if the land be placed in favorable circumstances it will soon obtain a sufficient supply. To this end land should be suffered, as farmers say, to *rest* a year or two. But it is not enough in order to rest land that you merely cease to cultivate it; because its rest may be greatly disturbed. It cannot repose much with its bosom exposed to a summer's sun. Nor will its slumber be healthful or invigorating with the same crop of weeds or grass growing on it which heretofore, from year to year, have been *cultivated*, or suffered to grow in the process of cultivation. The way is to give the land a coating of something, the growth of which requires chiefly other properties of the soil than those already exhausted, and with such verdure as it can support easiest, it will acquire, upon its surface, that degree of humidity necessary to a favourable supply of atmospheric food. Chemistry, were we sufficiently acquainted with it, would immediately point out the proper article for this purpose in every particular instance. But in our lack of knowledge here, we must depend upon experiment. After cotton we usually sow rye, or after corn, oats.

But the great difficulty in all this is that most planters plant all their open land every year. We lack twenty-five per cent. of having enough land open, and plant twenty-five per cent. too much of the land we have open. What is called over-cropping is a very common fault with the cotton planters, and results in great disadvantages; a less quantity of land cultivated better, will produce a greater amount of cotton. And moreover, the same number of bales of cotton, on a less number of acres of land; requires less labour in picking. And the picking of cotton being more than one-third of the whole labour requisite to produce it, this is a very important consideration. It is a very uncommon thing to see a cotton crop cultivated well, throughout the season. Nine-tenths of the cotton crops suffer for the plough and hoe during three-fourths of the growing season. How much room for reform is here!

One of the greatest disadvantages under which the cotton planting labours, is in regard to THE SEED WE PLANT. The popular notion is that seed runs out very rapidly, or in a few years, and that a fresh supply of "*Gulf seed*" is necessary to take a new start from. Again, we hear that changing seed among different plantations, or to and from different kinds of soil, is of great advantage; and again that seed two or more years old is far preferable, for that then the poorest seed will not germinate. To expose these egregious whims and set forth what is deemed the correct reasoning upon the subject, it is not necessary for us to speak of any particular variety of cotton grown in this country, but to state principles equally applicable to all.

What is *Gulf seed*? The writer has had an extensive agricultural correspondence for the last year or two, chiefly on the subject of cotton seed, and in many letters from planters all over the cotton region, "*gulf seed*" are spoken of in contradistinction to the seed of the common cotton of the country, and is considered far superior. The former is worth fifty cents to a dollar a bushel, and the latter as much less than nothing as the value of the labour requisite to haul it away! There are several varieties of cotton in this country,—first the great mass, which may be called the common Mexican. Then there are several other kinds, varying slightly from this which have acquired each a separate appellation among planters in the respective neighborhoods in which they are grown. Then there is the Mastodon, varying materially from all the above. But there is no "*gulf cotton*" or "*gulf seed*" different from that which every man has on his plantation. The name is in almost every man's mouth, but it has no representative. But how came about the idea so extensively of *gulf seed*? On this wise:

In the early history of cotton growing in Mississippi, a few intelligent and thrifty planters settled in Jefferson county, near where Rodney now stands; which place was formerly called "Petit Gulf," from an eddy in the river just above the landing place. These planters were among the first who cultivated the Mexican cotton, now chiefly raised, and which we all know superceded the old *black seed*, about thirty years ago, or a little upwards. And they understood and practiced the correct theory of saving cotton seed, better than most of their neighbors. New farmers were coming into the country, and the Hunts, Magraders, Freeland and a few others were ready to supply them with better seed than could be procured elsewhere, because it was *saved better*, and being shipped at the Petit Gulf it after a while acquired the name of "*Gulf seed*." For many years better seed could be pro-

cured from the "Gulf" than elsewhere, for the same reason just stated; and subsequently from other parts of the country, hundreds of miles distant, seed was sent to Rodney in order that it might thereby become "Gulf seed," and which was no doubt really as good as the best. Thus it is that thousands of planters have paid hundreds of thousands of dollars, to a few other planters who could see and think, for cotton seed of *the very same kind they had themselves* in the most profuse abundance. And if the purchased seed was any better than their own, and no doubt it was, it was only because it was *saved better*. Of the common Mexican seed it may be truly said, that there may be as good seed raised on any plantation, from the seed now on it, however much it may be *run out*, as can be raised on any other plantation, however recently it may have been supplied with fresh "gulf seed," or, however near it may be situated to Rodney. The extreme north or south ought, perhaps, to be excluded from this remark.

And we are perhaps now called upon to explain how it is that such great advantage is derived from some particular mode of saving seed; or what is the same thing, explain how seed sometimes *runs out* or *depreciates*, while other does not. And it may here perhaps be admissible, as it will answer our purpose as well as any way, to insert a small paper heretofore published by the writer on this subject.

"I have been frequently asked in relation to the Mastodon Cotton, *'Will it degenerate?'*" This is considered an important question by many persons, and not a few, I should think, consider that the future success of this cotton depends mainly upon this point. It is strange that a great error in regard to this matter has become so popular. A farmer in the South, in my opinion, ought to know better than to ask any such questions. It is precisely as philosophical as it would be in relation to a horse, *will he become poor?* With plenty of hay and oats and good care, I should say he would not. But in the absence of these, I think there would be much danger that he would. The cotton seed notion of *"running out"* is entitled to the same kind of an answer, and upon the same philosophical reasons. We frequently hear a farmer say, *"My cotton seed has run out."* Yes, sir, and if you have been as careless in relation to your pasture-fence, your cattle and sheep have *"run out"* also.

The truth is, there is a very great error abroad among farmers on this subject, and if its correction can become general, immense good will result from it. Otherwise, a few will, as they have heretofore done, realize great profits off of the mass, because of the ignorance or lack of enterprise of the latter.

There is certainly no peculiarity in this respect that can attach to the Mastodon cotton that is not common to all cotton. To the question, then, "Will it degenerate?" I reply, it most certainly will. Not only will it become mixed up with other cotton so as to lose its identity, but it will itself *depreciate* or *run out* so as to be of little or no value. And on the other hand, I say, it most certainly will not, but will retain permanently, at least as high a maximum point as it has ever arrived at. And I think it likely that it may be considerably improved. In careful hands it will not depreciate—in careless hands it certainly will.

What is degeneration, or "running out" in cotton seed? And what is the cause of it? These are the only questions that need to be answered, and certainly, it seems to me, they are very simple. It is the production and continued reproduction from the smaller and less perfectly grown seeds. And how is it to be prevented? Use the large and full matured seed exclusively, to produce from.

There is on every stalk and in every boll of cotton some seed which are large, full grown, and of vigorous stamina, whilst others are smaller in size, imperfectly matured, and consequently weaker in stamina.—These differences in the same boll are perhaps very slight, but in different bolls on the same stalk, very perceptible, and in different stalks in the same field still more so.

Suppose, then, you take from a single stalk of Cotton one half of its bolls which are the largest and best, and from these bolls you select the best seed. On the other hand, you select from the poorest bolls the poorest seed. These two parcels of seed are the product of single seed, and are now planted in separate fields. From the cotton growing from the large seed you continue to select and plant from year to year the best seed, and from that growing from the poor seed, you pursue the contrary course, and produce from the poorest seed from year to year. After three or four years how will these two fields of Cotton compare? The one will unquestionably be perfectly "run out," and the other will have *run* considerably in a contrary direction. This I undertake to suppose is very common sense, and accords fully with the experience of every man every day. And yet with this full knowledge of all the facts and theory before us, there seems to be comparatively few who bring their minds fully up to the very great and apparent propriety of excluding these lesser seed occasionally as they make their appearance in any considerable quantity. The trouble and expense of excluding imperfect seed is far less than is generally supposed. It depends, however, upon circumstances. If you have

a large proportion, half or two thirds, as is generally the case, of poor seed, it is considerable trouble to pick out the good seed. But if there is but little depreciation and but a few green, black or small seed in the mass, mostly of large white seed, it is but little labor to select them out and throw them away.

A very large proportion of the Mastodon seed which was sold last year, was greatly mixed with other cotton—that is, the fields were replanted with common cotton, mixing it through in the proportion of a third or a quarter; and in other instances it has become more slightly mixed. Besides this, there has, I presume, been, generally, the whole mass of seed used to produce from. The process of carefully excluding the small and imperfect seed has not yet been commenced so far as I know, except by my self and one or two of my neighbors. It is high time, then, that it now, in every instance be set about, and where it is not too much mixed it can be thoroughly reclaimed. For my own part, I have not the least idea of planting hereafter without carefully picking my seed over by hand every year. Then it is not only certain not to deteriorate but will come up to as high a maximum as it will bear.

It is quite probable, also, that a scientific examination, thoroughly made, into all the botanical principles of the plant, and with the chemical principles of its production with us might illustrate facts not so near the surface of observation as those I have stated, and which would show other lateral causes of depreciation. For instance, cotton, as is the case with every other species of plant, requires not only a particular climate and atmosphere, but particular proportions in the soil, and peculiar modes of cultivation at all the different stages in its growth; and there requires in all these a perfect system of adaptation and correspondence, in order to the most perfect product. Now, our rough system—rather the total abuse of all system—of cultivation, consults none of these things, and, therefore, we lose all the means we might otherwise have of preserving all the valuable properties of the plant. These observations will apply with more force to plants cultivated in soils and climates where they are not indigenous as is our cotton. But in our present rough and crude mode of cultivation, it will answer all practical purposes to exclude the smaller and most imperfect seed, and cultivate those most healthy and of stoutest stamina.

Persons may, with the greatest possible ease, determine as to the degree of purity of their Mastodon Cotton seed. Every seed that is

not *large, white, and woolly*, is an interloper or a half breed, and should suffer instant expulsion.

It cannot now fail to be seen that every man ought to have as good seed as his neighbour. And if he has not it is his own fault.

Experiment has abundantly shown that different kinds of soil except you go far North or South, does not very materially change the character either of the cotton or the seed. The best and most careful planters have the best seed, and usually the best cotton. And whether they live a mile, or ten or a hundred miles from Rodney in Mississippi, is not very material.

The idea that cotton seed is benefitted by itinerating among different plantations from year to year, is unphilosophical, and has nothing to support it but a whim that started some where, and has been kept in use for want of a better. The *fact* of such benefits by change, from one place to another, is not doubted, but the *reasons* therefor are to be found in the principles stated above.

It appears then obviously proper that in regard to **THE SEED WE PLANT**, we should first obtain the best seed in our reach, or such as we prefer, if we have it not, and then *keep it as good as it ever was* or make it *better*, if practicable. A strict and universal adherence to these principles will, in the opinion of the writer, save hundreds of thousands to the cotton planters of the south. He has been strongly urged to withhold the publication of these views, upon the ground, that as far as they may become, known and be acted upon, it will have the effect of injuring a profitable seed market. This is another question, into which he has not stopped to enquire. The views are believed to be well supported both by reason and experience, and if so they are certainly worthy of observation.

Another impediment of great magnitude and of extensive disadvantage is in regard to **THE PREPARATION OF COTTON FOR MARKET**. This consists chiefly in *picking, ginning and baling*.

The great improvements that have been made in Cotton Factories in cleaning Cotton, and preparing it for the spindle, ought to indicate to us that one of two modes, widely different from each other, ought to be pursued in picking. The lower qualities of cotton are not enhanced much in value by keeping the cotton very clean of *trash* or leaf. The manufacturers can clean it sufficiently for coarse fabrics much cheaper than we can. And on the other hand, pretty good or fine cotton, if somewhat trashy, is lessened in value materially thereby.

We should then, when we *go in*—as we say in the country—for fine cotton, take pains in picking, keep it clean, suffer it to remain in the field the shortest possible time after opening, and handle and gin it with great care. But in any portion of the crop when this should become unprofitable, we ought to go to the other side entirely, or nearly so, and *go in* for the greatest quantity. The state of the market, present and prospective, and the condition of the manufactories seem to point out this course.

Far too little attention is usually paid to GINNING COTTON. For many years past the rage has been for fast ginning, and the value of a cotton gin was measured by the number of bales per day, that could be ginned upon it. In this way the value of a crop, in thousands of instances, has been reduced three, five, or eight dollars a bale rather than expend a dollar more upon the ginning. Fast ginning injures cotton more than all other defects and disadvantages in this part of the preparation of cotton for market. And yet I have seen opinions the reverse of this stated, if I mistake not, in the Review. Nothing can be more unreasonable, and nothing is more at variance with the experience of every observing planter. Next to fast ginning is the great error of using *cheap gins*. It is a very easy thing to save fifty or a hundred dollars in the price of a gin stand, and then as a consequence very probable, loose five or ten dollars a day while you use it. A cotton gin requires the most perfect mechanical precision in all its parts. Small objects are as fatal to making cotton as large ones. Nothing is more familiar to a cotton merchant than this, that two samples of cotton are separate twenty or thirty per cent. value by the mode of ginning alone. And yet to make a planter believe this, who is alone interested in the great and important truth, you have to thunder in his ears loud enough to wake the dead; and then oftentimes the first cheap gin manufacturer can soon dissipate all his anxiety on the subject, by offering him fifty dollars to injure his five successive crops five hundred dollars each.

It was stated in the September number of the Review that *Carver, Washburn & Co.* of Massachusetts were making gins designed expressly for Mastodon cotton, and some of them would be tried in Mississippi and Louisiana this fall. The writer has now the satisfaction of saying that these experiments have resulted as advantageously as was anticipated. They are highly approved of in every instance, so far as is known, and are believed to be the best gins now in use: certainly much the best the writer has seen.

The next process is to pack the cotton into BALES for shipment. The circular which the writer received from the Editor last summer contained some inquiries on this subject, and it was then briefly attended to.

The present mode of packing cotton, on the plantations, results in a direct and immediate loss to the planters, of a sum fully equal to the whole amount of expenses, direct and indirect, of repressing the bales at the sea ports. So great a truth [as that, if it be true, deserves to be repeated with an emphasis. The position cannot be successfully controverted. And although it has frequently been stated by several of our most intelligent planters, it is not known that any man has ever undertaken publicly to call its truth in question. It is unhesitatingly asserted that the same expense and labor now generally used in packing cotton, will, with a little modification in the process, together with the substitution of good presses for poor ones when it is necessary, put the cotton in better shipping order than it generally comes from the Presses in New Orleans or the other ports. And moreover by the putting of bales in shipping order at the gin, several other important advantages will accrue to the planter. These may appear very bold and hazardous declarations. They would not be made, most assuredly, but for the consciousness of the great ease with which they are capable of being maintained.

But how is this truth to be proved? It seems to be rather a question of fact and veracity, than of argumentation. The simple fact is, that it is less labour to pack bales with a good press, 22 inches square, 4 feet 6 inches long, weighing 400 pounds, and bind them with iron hoops, (when they are in the best shipping order the cotton is capable of being put in,) than it is to put them up in the usual mode, when they not only regain all the expenses of repressing but other additional expenses of freight, &c. &c. It is difficult to prove this on paper, but any man to have been on this plantation yesterday, would have been compelled to know that all here stated is strictly true. The only remaining question then is, whether there are any collateral, indirect or incidental disadvantages arising from putting bales in *shipment size* and banding them with iron, to hold them firmly there at the gin? This will be looked at presently; but first, assuming that there are none, how does the case stand? The first object that strikes the eye is the payment to the citizens of the seaports, by cotton planters whose cotton is shipped thence, one million of dollars annually, for which the latter receive *no benefit*. Is this a matter unworthy of thorough investigation? Should it call forth the *attention* of planters or should it not?

Are we the guardians of our own interests or are we not? What is enterprise, and what is it for? and what are the disabilities of industry without it? Are we to learn nothing? Does the *law* against innovation absolutely and unconditionally require that we shall *always* carry the stone in one end of the bag and the meal in the other? Are we wedded indissolubly to the crude blunders of early processes, or may we walk out like a grown up man, with his eyes open, profiting by past experience, and look and see where is the best place to put his foot next? Cannot the strides of valuable improvement that commerce and mechanism is making every day around us, stimulate us a little? Has emulation left us quite?

It is assumed that 25 to 30 pounds to the cubic foot is as small as cotton should be pressed. Greater pressure than that would probably injure the cotton, and that being quite as small as it usually comes from the presses—New Orleans, say, $4\frac{1}{2}$ feet long, 22 to 24 inches square, for bales weighing, 400 to 450 pounds. The cotton must not only be put into this size, but the bales must be so banded that they will not enlarge. Bales of this kind, well put up, may be considered of *shipment size*, or in as good *shipping order* as the cotton is capable of being put in.

Now, the question is, can every planter put his cotton in this condition with the same labour and expense now bestowed upon it? The affirmative is so simple a truth that it not only cannot be successfully opposed, but no man can examine carefully into it and doubt for a moment. Then why do we not all do it? Why do we employ thousands of men, agents, clerks, labourers, draymen, warehouses, machines, makers, &c., &c., to do for us that which we can do for ourselves without the expense of a desire? Why do we do this? The answer is plain—because our fathers did so—Because we did so last year. No other answer than this can be given. And thus it is that we, year after year subject ourselves to these exceedingly onerous disabilities.

Some explanation of the *process* by which cotton is thus packed may not be amiss, as there are many who have not thought much on the subject. There is a great error abroad as to the amount of power necessary to put bales into shipment size, and it is not unfrequently the case that bales are put mainly or quite into the proper size, but the elasticity of the hemp ropes put upon them suffers the bale to expand one third or more, when the presses at the ports have little else to do than press it back again where it was originally, and the ropes being perfectly distended, and being retied, hold it there.

A good Newell press, especially the large size screw, which of late

is going into general use, or any press of about that power, is sufficient to press cotton into the size indicated. The difficulty is not in pressing the cotton small enough, but in keeping the bales firmly, at that size. The only way in which this has been known to have been done, is the use of IRON HOOPS. The best and easiest mode, of using the hoops is not be presumed to be taught or explained here but it is confidently believed—nay, it is certainly known, that bales may be packed with the use of them with greater facility than is usual with ropes, so far as some little experience in both, with the writer has led him to observe. And if his experience may be attended here, it is advised first to get *ready*. This item of instruction, in this form, I obtained from my overseer, when describing the process to a neighbor, and it is considered too valuable to be left out of these observations. First, get ready, and you will have very little difficulty afterwards.

A very important thing to be attended to in the process of getting ready, is first to obtain the proper kind of iron. The iron should be *sufficiently strong*, but not *unnecessarily heavy*. The size most approved is about three quarters or seven eights of an inch in width, and about number eighteen, of the wire gauge. This will weigh about a pound, or perhaps a little over, to the band, which is the weight of rope that is tolerably small; so that the weight of iron and rope are about equal. Then if the iron be *very soft*, it will have sufficient strength.

The next thing is to cover the iron, so as to give it a handsome black, glossy, or jappan appearance. The chief advantage in this is, that it gives the bend a handsome appearance. It also prevents the possibility of the slightest *rust*. It is confidently believed that the raw hoopiron could not, under any circumstances, afford rust in quantity sufficient to do the least injury to the cotton or bailing, although this has been stated in New Orleans by those whose interest it was to discourage the use of iron in this particular. But be this as it may, the process now about to be decided will, as observed, perfectly prevent the slightest rust, and at an expense next to nothing. For this purpose *coal tar* is used, which is bought in New Orleans at five dollars a barrel. Not over a gallon or two will be required to cover iron enough for a hundred bales. It is applied in the following manner. Take a hundred or two of hoops and place them in a pile spread a little, and elevated six or eight inches from the ground upon blocks. Underneath is put a light fire of shavings or other light material, so that the hoops are heated, equally all along the pile, to a degree of warmth so that they can barely be handled in the following

manner. The operator, having a small tub of tar along side, wraps his hands with pieces of blanket, or something of the kind, several thicknesses, tying them about his wrists, so as to form a kind of mitten. These he saturates in the tar, and taking up one piece of iron at a time draws it from end to end through his hands, and drops it in another pile. He thus proceeds, removing the pieces quickly, from the pile over the fire to the other, taking care to let the piece pass its whole length through his hands, and seeing, meanwhile, that an equal fire is kept up under the heating or hot pile, and that they are kept so hot as to require him to handle them pretty fast to prevent burning his hands. As the iron cools the tar becomes perfectly hard, black and glossy in appearance. To cover, in this way, hoops enough for a hundred bales, requires the labor of a negro but a few hours.

The rivets are purchased already made, and if the holes are not already punched in the hoops (which ought to be the case) you require a good punch, such as blacksmiths use, and a punching block, you also want a riveting hammer; the puncture in the riveting tool of course being the size of the rivet, as also the punch. These four tools can be made by any good blacksmith. In punching the iron, care is to be taken, that when the ends come together, the two smooth sides of the hole will come together, and the two feather sides outward; you then bend the two middle corners of the hoop, forming the two squares upon the back side of the bale, so that the hoop is to be introduced to the bale from the back side of the bale, putting both ends through, above and below at the same time. The rivets are also put in its place in one of the holes, when the hoops are ready for use, and are placed in a pile on the back side of the bale. All this is done before you commence baling. You then want a bar of iron four inches wide, and half an inch thick, and probably seven or eight feet long. When the doors are thrown open and the follower down, this wide bar of iron is placed lengthwise along the middle of the front side of the bale, where the ties come, it falls into latches prepared for it, and hugs closely to the bale; and you are now ready to put on your hoops. The hoops are all first slipped in from the back side. The man on the front side with his tools at hand, bends the one end up and the other down, and they of course meet on the bar of iron. The head of the rivet is inward next the iron bar, and the other end of the hoop is slipped on the outer end of the rivet and with the riveting tool is driven up to its place firmly, when nothing remains to be done but to batter down

the end of the rivet. The man handling the riveting hammer will soon find that small quick blows will rivet faster than to strike heavy and slow. It will be found useful for the man on the back side of the bale to use a small mallet at the corners, above and below, upon the hoop to make it hug closely round the bale, while the one on the front side is fastening it. The most of the time required in putting on the hoops is in hammering down the rivets, but a man to hammer smartly will soon head the seven rivets. When all is previously made ready; the process requires about two-thirds or three-fourths the time it takes to put on ropes.

To prepare the bagging, no bale cloth is made, you only cut off two strait pieces of proper length, the bottom the same as the top, which are all sufficient. The bales are square neat and uniform, and they make a steamboat laugh to look at them. When well marked and numbered and carefully weighed, and placed in a dry shed on the bank of the river, off the ground, clean and dry, they are in *shipping order*—the best order for transportation they can be put in.

The fluctuations in the prices of rope and iron vary the comparative value somewhat, but considering the saving in bagging the hoopiron covering will be found sometimes probably to have the advantage in price in the first instance. The iron is worth about five or five and a half cents a pound. So far, the comparative cost of using rope and iron is about equal, but after this there are several decided advantages on the side of the latter.

If the practice was uniform, or if a considerable portion of cotton was put up in this way, the cost of freight would be materially lessened. These bales can be handled with so much greater ease, that boats can be loaded and unloaded in much less time.

The cost of insurance would be materially lessened. It is always perfectly protected against loss by fire. The bands cannot come loose so as to let the bale expand, and it would be, therefore, impossible to burn a pile of cotton, whether on a boat or in a ware house.

Cotton packed up in this mode would go to market in much better order than it does now. On this point reference need only be made to the horridly, ragged and wasteful manner in which cotton for sale is now usually introduced to the purchaser. When a cotton buyer now examines a sample of cotton, he knows that the cotton he buys is not in the condition of the sample. Why? Because the bagging is torn, the ends out, several pounds of cotton is

materially injured by being exposed to mud, and much of it has become trashy and worthless. In the other case he knows that every pound he purchases is *like* the sample he has in his hand. And the price he is willing to give is of course, in both cases, regulated accordingly. No man at all acquainted with this subject can fail to know, that if our cotton went to market *in good order*, great advantage would accrue to the planter in prices.

Another important advantage of putting cotton in iron hoops, and in shipment size bales, is the fact that it is always ready for shipment. It not unfrequently happens now, that much delay is experienced in New Orleans, and at the other ports in consequence of the cotton not being in a condition to transport. Parcels frequently are known to remain in port for weeks at a time—not for the want of freight—not because the cotton is not there to ship, but because it is not in shipping condition. The purchaser is thus placed under circumstances often highly disadvantageous; which on the other hand, if the bales were put in shipment size at the gin, it is always ready for the vessel the moment it is purchased. This would often facilitate sales considerably, and prices too, somewhat, for it is always a matter of great importance in a seller of any thing, to place the purchaser in the most favorable position—to clear all obstructions and difficulties out of his way, as far as possible, and to make the vended article as immediately available to him as practicable. We know that nothing more certainly or immediately affects the price of cotton in New Orleans, than the question of “freights.” Well, how suppose you, a freight could be contracted for, to best advantage? By saying to the master of the vessel, “Sir, the cotton is ready for you, now, you can commence loading in an hour or on the other hand: the presses will be ready to commence it in a few weeks, and you can probably in a month or so commence taking it?”

This difficulty is always felt, though to a less extent, than at the sea ports, in the market, at the river towns in the interior, at seasons when the smaller rivers are not navigable. In such cases the rise and fall of water, in the fall and winter seasons, affects the price of cotton directly and even more than that sometimes. The sea freight of cotton in hoops would also be lessened, by being thus packed. The apparent reasonableness of the thing as well as conversations with several sea captains, have abundantly demonstrated this position; and further, *cotton never could be burnt at sea*. It is no more labour to load

two vessels with cotton in hoops, than one with the same number of bales in ropes, as they usually come from the steam presses.

The advantage of having cotton put in shipment size at the gin would be felt to a still greater extent in cases where cotton is to be only re-shipped at the sea ports, for sale in another market. In such cases there need be often but a single drayage, no warehousing, no piling in press rooms, no waiting to have it got ready to ship. The operation is performed at once, and the cotton is at sea or in market over the Atlantic, rather than receiving the winter rains of the South, being eat partially by cattle, pilfered by vagabonds on the wharves or streets, or suffering loss and damage in any of the various ways in which such things are known very extensively to occur.

The recommendation that cotton be always put in shipment size by the planter himself, at his own gin press, is not so wild a stride of innovation as might be supposed by those who have not *thought* much on the subject. A few years ago it was impracticable, but now it is quite easy. Cotton was sent to the sea ports, to be repressed there and steam presses erected there for the purpose, because the plantation presses could not do it, and the practice is continued because it was commenced, not because the same reason still exists. But within the last fifteen years, great improvements in plantation presses have been introduced, and still greater improvements are being made. It is not presumed that every plantation is now furnished with a suitable press for their purpose, but it is confidently asserted that every plantation can easily so supply itself. The present condition of machinery of this kind is such that the power of two horses is sufficient for the purpose indicated. The writer does not pretend to be acquainted with the most approved kind of plantation presses now in use, but he does know enough to justify the above remark. He is now using a press of a kind not approved by himself; it is a single wood screw, but with it there is no difficulty in pressing *mastodon* cotton to the size indicated with two mules, and it is to be observed that the *mastodon* in consequence of the *body* and firmness of its staple, is harder to press than the common Mexican. The largest size Newell screw cannot fail of exerting sufficient power. And the *Bullocks Patent Press*, if it is capable of receiving a box of sufficient length, will no doubt be found far preferable. With it one mule will give sufficient power. If the expense of erecting such presses is thought an objection to this introduction, it may be stated that the wood press above alluded to, cost one hundred dollars, besides getting out and hawling the timber. The large

size iron screw will cost perhaps fifty dollars more than the old fashioned Newell press that every body has, and the Bullocks Patent will cost a hundred and twenty-five to a hundred and fifty dollars.

These evils, thus hastily sketched and hurriedly run over, deserve a loud and long complaint. They speak in tones of thunder to the pockets of cotton growers and ought not to pass by unheeded. In the state of Georgia the oldest and until recently the largest cotton growing state, it is astonishing to learn that at the present time *one half* of the cotton is put up for market, not in bales at all, but bundled up in something like old meal bags. The other half of the crop of Georgia is put up in the most clumsy, awkward and miserable looking bales, very seldom in passable shipping order, these are called "*square*" the other "*round*" bales. Both kinds are indescribably shapeless, but the packing in the "*round*" bundles is so excessively miserable that the regular mercantile deduction from the market price of such cotton is *half a million of dollars annually!* This deduction is over and above the next deduction consequent upon the "*square*" bales not being in shipping order. Is there here no room for reform?

The Georgia and South Carolina and Florida planter, who thus ties his cotton up in bags, loses money enough *every year* to put up a press at a cost of a thousand dollars, and the Alabama, Louisiana and Mississippi planter will also save money enough *annually* to pay for a press, by putting his cotton in shipment size. Large planters will save five or ten times the cost of such presses.

The present condition of our business, calls for *immediate* reform. The ravages of the cotton worm the present season, admonishes the planter to look around him. To cultivate a certain number of acres of land, in cotton, or to put a given number of bales into the hands of a commission merchant are not the only questions to be inquired into, nor yet are they the most important. To realize the largest amount of net money from a given amount of means invested, looking carefully and economically into all parts of the operation, is the part of wisdom and enterprise.

There are many other matters farther in detail, which belong to this subject, but which might be deferred, at least for the present. The object here has been to excite attention, to superinduce thought and enquiry, rather than to teach or instruct. If any thing herein, therefore, may have the effect of arresting the attention of a few men of inquiry and enterprise, of more influence and ability than the writer, he will

feel a thousand times rewarded for having taken a little time from the hurry of other employment to throw these remarks together.

ART. II.—LOUISIANA HISTORICAL RESEARCHES.

The decease of the venerable Martin, is an event of deep interest to every Louisianian. Judge Martin as a jurist, was an ornament to the State and would have been an ornament to every bench in the world.—He died full of years and honors. The Historical Society has cause to mourn its President, who though old, decrepid and blind, manifested such an interest as to be present, and preside at its deliberations. We hoped to have had him long among us. But the longest career must terminate.

Our object, however, in the present instance, is not to dwell upon the memory of the departed; but to fix attention upon that which exists. We would call the attention of Louisiana, and of the southwest, as we have on previous occasions, to the existence of an association organized among us, for the collection of all documents, facts, etc., relating to the deeply interesting history of this great region. It is in contemplation to have several lectures before the association this winter.—That the objects and mode of operation—that the outlines of the plan may be understood we have concluded, to furnish the reader the highly valuable and eloquent address which the Hon. Henry A. Bullard delivered several years ago. It must be appreciated every where, and read with the deepest interest.

To minds exclusively devoted to the pursuit of wealth, and bending all their energies to that single purpose, it would seem a startling proposition, that there could be any thing either of interest or utility in inquiries into the history of the first discovery and settlement of Louisiana by Europeans; in rescuing from threatened oblivion the records of its first colonization; in efforts to bring to light and to perpetuate by means of the press, all such documents as would form the elements of an authentic history of our multiform population, and the successive changes in the forms of colonial government, and the progress of its settlement under the different sovereigns who have successively ruled this country. But the time has arrived, I trust, when pursuits of a character purely literary, will have their value among us; when those who engage in researches, having only truth for their object, although barren of immediate results, will be regarded as contributing in some measure to the public good, by adding something to the stock of our national literature. As contemporary history is liable to be discoloured by interest, by preju-

dice and passion, each generation as it passes away, is under obligations to its successors to furnish them those authentic materials by which alone its true character can be known to posterity, and to perpetuate the public documents and correspondence which accompany and explain every public transaction. But we, who are enjoying the fruits of the labors, and fatigues and sufferings of our predecessors, owe it also to their memory, to snatch from oblivion the record of their actions, and no longer to leave their fame there to rest on the loose and garbled and exaggerated narrations of contemporary writers, or catch-penny authors of what the world calls history. History, as it is generally written, is at best but an approximation to truth, I had almost said, an approximation to probability. It is true, the exaggerated and marvellous statements of travellers, or discoverers and settlers, as to physical features and productions of a new country, and the character of its aboriginal inhabitants, may be corrected by subsequent observation and experience. The width of the Mississippi, for example, below this capital, has dwindled from a league to less than a mile; St. Louis is no longer in latitude 45 North, and 276 longitude; quarries of emeralds, silver mines and gold dust, are no where to be found in Louisiana. But the narratives of events and transactions, by real or pretended eye-witnesses, or by the authors of histories and memories, can only be tested by reference to authentic records, or by their own intrinsic evidence of falsity or truth. This latter test is not always to be relied on, for the true is not always probable. Tradition, ornamented and coloured by fiction, has proved from the earliest records of our race, a large ingredient in the composition of history. Hence the origin and early annals, not only of the people and states of antiquity, but of many of comparatively modern date are involved in mystery and fable. But it would be a matter of just reproach, if a people, whose first lodgment on the continent was made long since the discovery of the art of printing; whose entire annals embrace a period of the highest civilization; if such a people, I say, should suffer to perish the monuments of its early history, and the mists of fiction to settle on its origin and progress.

In many of the states of this Union, of British origin, historical societies have been organized, whose labors have been eminently successful. A mass of materials has been accumulated and preserved by means of the press, which excludes the possibility of future misrepresentations in regard to the true history of the country, and the times

to which they relate. It is singularly interesting to look at the conduct and character of our ancestors through such a medium. We see them as they were; we hear them speak the language of their own age, we are brought in immediate contact with the founders of our rising empire; we trace the gradual progress of their settlement, from the sea-board to the interior; we witness their privations, their sufferings, their unflinching purpose and constancy of purpose. At a more recent period, we are introduced into the primitive assemblies of the people; we observe the gradual development of those opinions and principles, which at this day lay at the foundation of our free popular institutions; the first discussed, when the threatened encroachments of power upon right were met and resisted, and the blood of the Barons of Runymeade cried out for Magna Charta, in the wilderness of a new world.

The field of research which we propose to explore, is vast and in a great measure new. It is proposed to extend our inquiries into the history of all that country formerly possessed by France and Spain, under the name of Louisiana; to endeavor to bring to light and to perpetuate by means of the press, all authentic papers relating thereto; to collect interesting traditions, private histories and correspondences, and pictures of manners; to investigate the progress of our jurisprudence; the state of religion, and the condition of the Indian tribes in that whole region. It is obvious that many of the original documents and records, relating to the settlement and colonization of that extensive region, must exist in the public archives at Paris, Madrid, and Seville, as well as the Havana; some in the archives of the former government of this city, at St. Louis and Natchez; others again at notaries' offices, here; in the parochial records of the different posts in the interior, and much interesting matter in possession of the families of some of the earlier settlers of the country. It is becoming more and more difficult every day, to bring together from sources so various and so widely dispersed, such memorials as may yet exist. It is time, therefore, to begin the work in earnest and methodically.

Before I proceed to make a few remarks on the several heads into which the programme of our proposed researches is naturally divided, let us pause and take a momentary survey of the population of the country as it exists, whose origin and first establishment it will become us to investigate more minutely in the progress of our labors. Like the rich soil upon our great rivers, the population may be said

to be alluvial; composed of distinctly colored strata, not yet perfectly amalgamated; left by successive waves of emigration. Here we trace the gay, light-hearted, brave chivalry of France; the more impassioned and devoted Spaniard; the untiring industry and perseverance of the German, and the bluff sturdiness of the British race. Here were thrown the wreck of Acadie, and the descendants of those unhappy fugitives still exist in various parts of this state. Little colonies from Spain, or the Spanish islands on the coast of Africa, were scattered in different parts of the country. Such were New Iberia, in Attakapas, Valenzuela in Lafourche, Terre aux Bœufs and Galveston. They still retain to a certain extent, their language manners and pursuits. There are, in the Western District, some families of Gipsev origin, who still retain the peculiar complexion and wildness of eye, that characterize that singular race. The traces of the Canadian hunter and boatmen, are not yet entirely effaced. The Germans, I believe, have totally lost the language of their fatherland. The country of the German coast is, perhaps, the only existing memorial of the celebrated John Law, the author of the most stupendous scheme of banking, and stockjobbing, and fraud, that was ever practised on the credulity of modern times. Among the earliest concessions of land in the province, was one in favor of Law, situated on the Arkansas, and prior to the settlement of New-Orleans; he had sent over a small colony of Germans to take possession and improve it; but on the downfall of the grantee, his colonists broke up the establishment, and returned to this city, where they obtained each for himself, a small grant of land on the Mississippi, at a place which has ever since been called the German coast. The little colonies of Spaniards at New Iberia and Terre aux Bœuf, never had any written concessions, they were put in possession by the public surveyor, and it was not until long since the change of government, that their descendants obtained an authentic recognition of their title from the United States. But time does not permit me to pursue this subject any farther; these few hints are intended merely to direct your attention to it, as one of curious interest.

I proceed to submit a few remarks on some of the several heads of our proposed plan. First, The general history of the province from its first discovery to the present day. 2d, The progress of our jurisprudence and state of religion, and 3rd, the condition of the Indian tribes. It is, by no means, my purpose to attempt to give you a full view of the present state of our knowledge on these topics,

much less to collate or criticise the various histories and memoirs which have appeared, even if I were capable of the task. But let us see in what particulars our knowledge is clearly defective, and whether it be probable that by proper diligence the deficiency may be supplied, and errors or misrepresentations corrected.

The successive changes of government form, naturally, the epochs of our history. The first extends from the discovery of the mouth of the Mississippi by La Salle in 1681, from the interior, by way of the Lakes, until the grant to Crozat in 1712. 2nd, Under the monopoly of Crozat, until 1717. 3d, Under the administration of the Western Company, until the surrender of their grant, 1732. 4th, Under the direct authority of the crown of France, until the final delivery of the province to Spain, 1769, in pursuance of the treaty of Paris. 5th, Under the government of Spain, until the treaty of cession in 1803; and lastly, as an integral part of the United States, whether as a territory or state.

1st. I think it cannot be controverted, that Robert Cavelier de la Salle first discovered the mouth of the Mississippi on the 7th of April, 1681. Accompanied by the Chevalier de Tonti, and a few followers, he descended from the mouth of the Illinois to the Gulf of Mexico, passing through numerous tribes of Indians, not in hostile array, but his most effectual arms, the calumet of peace. De la Salle was, without doubt, a man of great energy and enterprise, ardent and brave, sagacious and prudent, and of conciliatory manners. He appears to have been, at the same time, feared, respected, and even beloved by the natives. I should not have considered it necessary to mention this fact of the first discovery, as one well settled, if attempts had not been made to create doubts about it; if not to deprive him of that honor, and to confer it upon Father Louis Hennepin, a missionary of the order of St. Francis. In the first volume of "The Condensed Geography and History of the Western States, or the Mississippi Valley," published a few years ago at Cincinnati, under the particular head of "history," not a word is said of de la Salle having explored the course of the river as far as the Gulf, and of his having taken formal possession of the country, in the name of the King of France. On the contrary, it is asserted that in the spring of the previous year Hennepin, who had been instructed, in the absence of de la Salle, to explore the sources of the river, finding it easier to descend than ascend, had proceeded down and reached the Balize in sixteen days, "if his word can be taken for it," says the author, from the time of his departure from the mouth of the Illinois. In the

next place, the author represents that de la Salle, in 1683, after laying the foundations of Cahokia and Kaskaskia, left M. de Tonti in command of those establishments, returned to Canada, and thence made all haste to France, to solicit the co-operation of the French Ministry in his views. In addition to the utter improbability of this whole story, it is completely refuted by the testimony of the Reverend Father himself. His first publication was after his return to France, and the first edition of it, is now in my possession. It was published on the 5th of January, 1683, the author being then in Paris, and was dedicated to the King of France. The work is entitled "*Description de la Louisiane nouvellement découverte au sud-ouest de la Nouvelle France.*" He gives a minute account of his voyage from the mouth of the Illinois, to a considerable distance above the Falls of St. Anthony; of his captivity, during eight months, among the Indians of the Upper Mississippi; and finally, of his return to some of the French posts in Canada about Whitsuntide (May,) 1681. The "*Privilège du Roi,*" for the publication of this first work of Hennepin, was granted on the 3rd of September, 1682. Not only is the author silent as to any voyage by himself down the river as far as the Gulf of Mexico, or of his having descended below the mouth of the Illinois, but the concluding paragraph shows conclusively, that he at that time set up no such pretensions. He says, in conclusion. "They sent me word, this year (1682,) from New France, that M. de la Salle, finding that I had made peace with the tribes of the north and the north-west situated more than five hundred leagues above, on the river Colbert (Mississippi,) who were at war with the Illinois and the nations of the south, this brave captain, governor of Fort Frontenac, who, by his zeal and courage, throws new lustre on the names of the Cavaliers, his ancestors, descended last year with his followers, and our Franciscans, as far as the mouth of the great river Colbert, and to the sea, and that he traversed unknown nations, some of whom are civilized. It is believed he is about to return to France, in order to give the court a more ample knowledge of the whole of Louisiana, which we may call the delight and terrestrial paradise of America. The king might there form an empire, which, in a short time, will become flourishing in spite of the opposition of any foreign power."

In another part of the same work, the good Father says, "We had some intention to descend as far as the mouth of the river Colbert, which probably empties into the Gulf of Mexico, rather than into the Vermillion Sea; but those natives who had arrested us, did not allow us time to navigate the river both above and below." Here is a formal

disclaimer of any discovery made by Hennepin, and an announcement that the discovery has been made by another; and yet the author of the *Condensed History and Geography of the Western States*, represents Hennepin, I know not on what authority, as having reached the Gulf of Mexico on the 25th of March, 1680, a period when, according to his own account of himself, he was struggling in a frail canoe, against the ice and currents above the mouth of the Missouri. One is tempted to repeat the reflection of Voltaire, "c'est ainsi que l'on écrit l'histoire."

Father Hennepin did not certainly much overrate the great natural fertility and resources of Louisiana. But it is not a little remarkable, slow and lingering were the first attempts to colonize it, although made under the immediate auspices of the crown of France. The most superficial reader of history, cannot have failed to remark the different spirit which characterises the colonization of this continent by Spain, France and England. The Spaniard came for conquest and for gold; regarding the aborigines as enemies to God; no alternative was left them but the cross, or the edge of the sword: even submission did not save them from the most abject and oppressive servitude. France, on the contrary, cultivated the good will of the natives, and was in general eminently successful in gaining their friendship, so far at least as relates to Louisiana; commerce with them, in the natural productions of the country, seems to have been their primary object. Trade, in fact, was the basis of her colonial policy; trade, too, not open to all her subjects, but in the hands of monopolists, by grants from the crown, and maintained in the enjoyment of it by naval and military power. The first establishments of the French were rather trading houses than colonies. The English colonies on the contrary, were for the most part the offspring of individual enterprise. The basis of their system was agriculture combined with commerce; they brought with them their household gods; they sought a permanent abiding place for themselves and their posterity; many of them, far from enjoying the patronage and the protection of the crown, fled from persecution and intolerance. They came, and as soon as private interest began to operate freely, on a soil comparatively sterile, and in a rigorous climate, the country was converted into a garden. The English colonists brought with them the germ of popular self-government; at very early periods, they made laws for themselves, sometimes in assemblies purely democratic; generally, through their representatives, laws suited to their conditions and their wants. In the colonies of France and Spain, on the contrary, except in matters of mere local police, all laws and regula-

tions came over the ocean. Trade in its most minute ramifications, even domestic trade, was fettered with precise tariffs of prices and profits, instead of being left open to free competition. According to a regulation established by the Western Company, 1721, the price of a slave sold to the colonists by the proprietary company, was fixed at six hundred livres, on a credit of one, two and three years; tobacco, in leaf or twist, was bought at their warehouses at the rate of twenty-five livres per hundred; rice, at twelve livres the quintal, peltries and furs had their fixed prices. French goods were sold at Biloxi, Mobile and New Orleans, at five per cent. advance on the invoice price in France; at Natchez and Yazoo at seventy per cent. profit; at Natchitoches and Arkansas, at eighty per cent. and at one hundred per cent. in Illinois. The price of wine was one hundred and twenty livres the *barrique*.

There sprung out of this spirit of petty traffic, a class of characters, altogether unique and unknown elsewhere, called "*coueurs des bois*," half pedlers and half hunters, with a little finish of the broker. It was through their agency that goods imported from France, were pushed into the most remote settlements of the country and the Indian villages, and exchanged for the productions of the country. When I first came to this country, I knew some old decrepid men of that class; crippled, frost-bitten, and yet at an extreme old age retaining a singular predilection for that wandering, half savage life, and still dressed in skins, with leggins and moccasins.

Appended to the regulations of the Western Company, to which I have alluded, was a strong recommendation, which I mention to show how singularly it has been neglected up to the present day. The company earnestly recommend to the colonists, to cultivate silk, to plant out mulberry trees and offer as high a price for raw silk, as it now bears in the best market. They were sensible that perhaps no country on earth was better suited to that branch of industry; that the mulberry is indigenous in every part of the province and grows with great luxuriance and is among the first trees to put forth its foliage in the spring. This recommendation seems to have been totally neglected, until more lucrative staples were introduced, which now engross the whole industry and capital of the country. But the time may yet come, when the raising of silk, a beautiful branch of industry, which in fact would not interfere with more heavy crops, will become extensive, as it could not fail to become lucrative in this country.

The first colonists made two or three successive selections of a capital for their new colony, that were injudicious in the extreme; Dauphine island and the two Biloxi's, all sandy barrens. More than twenty

years after the establishment, they depended almost exclusively on France, Vera Cruz and the Havana, for a supply of provisions, and in the vicinity of the richest soil in the world, the people were threatened with famine. It was not until those places were finally abandoned, after the surrender of his charter by Crozat, and a change of system under the administration of the Western Company, that the great resources of the country began to develop themselves; numerous grants of land were then made, and agriculture began to take a start. On this part of our early history, little need be said at this time; but I should be wanting to myself, as well as the occasion, if I failed to make honorable mention of the production of our best historian, whose labors have thrown important light upon every part of our history, without omitting many minute and interesting details on this part in particular. Historical literature is deeply indebted to my learned and distinguished friend and colleague Judge Martin. His work, while it evinces great labor and research, proves at the same time how scattered and fugitive are the materials employed by him in its composition, and how difficult, if not impossible, it would be for a reader to satisfy his curiosity by resorting to original sources of information from which the author drew. *He appears to have had access to manuscripts which have never been published, but which it is not, perhaps, too late to arrest from oblivion.**

It must be confessed, that at the breaking out of the war of 1756, France possessed on this continent the basis of a splendid empire. Her possessions, embraced on the South the mouth of the Mississippi, and on the North that of the St. Lawrence, stretching through the heart of the continent, and covering the great central valley of the Mississippi and the Northern Lakes. Louisiana, though by far the most important and interesting portion of her domain, had made but little progress, and was regarded as an appendage to Canada. That war, it is well known, was disastrous to the arms of France, and at the pacification in 1762, she was stripped of all her possessions in North America, except that part of the ancient province of Louisiana, West of the Mississippi, together with the island of Orleans. Simultaneously with the treaty of peace, France ceded to Spain the remnant of her possessions on this continent. With this treaty commenced a new era for Louisiana. Its ancient forms of administration, and its entire system of laws were changed. This transition was attended by afflicting

* There are reams of manuscripts in Europe even now, materially relating to our history. Will we have them here!—[EDITOR.]

events to the ancient population of the province, attached as they were to the land of their origin. Such was the delay attending the delivery of the province to Spain, that the people began to entertain a hope, that the transfer itself was a mere simulation, for the purpose of securing Louisiana to the crown of France, against the hazard of future wars. It was not until 1766, that Don Antonio de Ulloa was sent over to receive possession, in pursuance of previous instructions given by the king of France to D'Abbadie. There hangs over the conduct of Don Antonio, an extraordinary mystery; although he remained two years in the province at the head of a military force, he appears never to have taken formal possession of the country, and was finally compelled to withdraw, on his refusal to furnish the council his powers and instructions from the king of Spain. I am not aware that his report to his government has ever been made public. We are, however, fully warranted in believing, that such a report was made, and that it formed the motive or pretext, for the sanguinary orders subsequently given to his successor, and led to the fatal catastrophe which ensued. If such a document exists, as we have every reason to suppose, a copy might be procured from Spain, and would throw great light on an obscure and interesting crisis in our annals. The bloody tragedy which followed on the arrival of Don Alexandro O'Reilly the next year, the total abolition of the council, and the introduction of the laws of Spain, as over a conquered people, are well known. Until recently, however, the extent of O'Reilly's powers was a matter of conjecture; and although the courts have uniformly considered, the whole body of the Spanish law as in force from the date of his proclamation and the French jurisprudence as abrogated, yet they were compelled in a great measure, to judge of the extent of his authority by his official acts. Within a couple of years, documents have come to light, through the agency of our Minister at Madrid, which go to prove, not only his original powers, but the approbation of the court of Spain of all his proceedings. Among other documents thus procured, is a copy of a royal order of the 28th of January, 1771, in which the king declares that he had in 1765 appointed Don Antonio de Ulloa, to proceed to the province of Louisiana and take possession as governor, making, however, no innovation in its system of government, which was to be entirely independent of the laws and usages observed in his American dominions, but considering it as a distinct colony, having even no commerce with his said dominions, and to remain under the control of its own administration, council and other tribunals. But he goes on to say, the inhabitants

having rebelled in Oct. 1768, he had commissioned Don Alexander O'Reilly, to proceed thither and take formal possession, chastise the ring leaders, and to annex that province to the rest of his dominions. That his orders had been obeyed, the council abolished; and a cabildo established in its place, and the Spanish laws adopted. He proceeds to ratify and confirm all that had been done, and directs that Louisiana shall be united, as to its spiritual concerns, to the Bishoprick of the Havana, and governed conformably to the laws of the Indies. It was made a dependency of the Captain-generalship and royal Hacienda of the island of Cuba, and as relates to the administration of justice, a special tribunal was created, consisting of the Captain-general as president, the auditors of war and marine, the attorney of the Hacienda, and the notary of the government. To this tribunal appeals were to go, and from it to the council at Seville, without resorting to the audiencia of St. Domingo.

O'Reilly appears to have made a detailed report of his proceedings, consisting of six distinct statements. These statements have never, probably, been made public *in extenso*, but another document, procured at the same time at Madrid, contains a minute analysis of them. I allude to a report made to the king by the Council and Chamber of the Indies, to whom the whole matters had been referred. It is filled with the most extravagant encomiums upon O'Reilly. The profoundness of his comprehension, the sublimity of his spirit, the correctness of his judgment, the admirable energy displayed in his provisions for the civil, economical and political government, his delicate knowledge and acute discernment of the laws of both kingdoms, as well as of the practical and forensic styles of the courts,—all these are set forth in the most pompous and sonorous phraseology of choice Castilian. By way of finish to this picture, and in the spirit of the most sublime bathos, the council adds, "that by the admirable arrangement of pay and distribution which he has proposed in the military and political classes, the treasury has gained (how much do you suppose?) one hundred and thirty dollars! which advantage is due to the comprehensive and indefatigable genius of the commissioner!" Miserable, cold-blooded, heartless calculators! at that very moment O'Reilly was the object of the just execration of the whole population of Louisiana. They had seen some of their best citizens, the elite of the country, immured in the dungeons of the Moro Castle, others shot down without mercy, without necessity, without a crime, unless it was a crime to love the land of their birth, the land in whose bosom repose the bones

of their ancestors,—all entrapped at a moment of profound security and submission, under circumstances of the most infamous treachery and duplicity, and mocked with the forms of a trial, under a statute written in a foreign language, and never promulgated in the province. Does no one yet survive, in this whole generation—no one yet lingering on the stage—who was an eye witness of those transactions, from whom we could hope to obtain a vivid picture of the grief, consternation and despair which smote the heart of the country, while the place d'armes of New-Orleans, was reeking with its best blood, that we might hold it up to the remote posterity, as a comment on the specious bombast of the Council of Seville?

The commercial regulations proposed by O'Reilly, and which form the subject of his first statement, were undoubtedly liberal and calculated to advance the prosperity of the province. They contemplated a wide departure from the rigorous monopoly with which the commerce of the Spanish colonies had been shackled: a free trade between Havana and Spain, the productions of Louisiana to pay no duties when imported into that port, and no duty to be levied on exports from Havana to Louisiana; the admission of all Louisiana vessels into all the ports of Spain as well as the Havana, provided that none but Spanish or Louisiana bottoms should be employed in that trade. This system met the entire approbation of the council except that the exemption from the payment of duties should be considered only as temporary.

The second statement relates to the propriety of subjecting Louisiana to the same system of laws which prevailed in the other Spanish colonies, of carrying on legal proceedings in Spanish, the establishment of the New Appellate Tribunal, of which I have already spoken, with a direct appeal from it to the council. These arrangements were sanctioned by the council with this proviso; that the Intendents of Hacienda and Marine should have a voice and vote in the proposed tribunal.

The third and fourth statements relate to the organization of the Cabildo, and the appointment of Don Luis de Unzaga as civil and military governor of the province.

The fifth details the new ecclesiastical and economical arrangements.

The sixth and last statement of O'Reilly, informs the king that he had appointed a lieutenant governor for the district of Illinois and Natchitoches, encloses copies of his instructions, and proposes that the governor alone should have the power to grant lands, and that concessions should be made according to certain regulations which he had adopted on the advice of well informed persons. This is the well known

ordinance of 1770, of which I may have occasion to speak hereafter.

It cannot be denied, that in many respects the new government was liberal and even paternal. Lands were distributed gratuitously to meet the wants of an increasing population, and direct taxation was unknown in the province. If the ratio of increase of the population be an index of its prosperity, Louisiana was certainly flourishing and prosperous. In sixteen years from the year 1769, the population was more than doubled by the ordinary means, independently of small colonies from Malaga and the Canary Islands. In 1711 it amounted only to four hundred, including twenty slaves. During thirty-four years of Spanish domination in this country, its resources were considerably developed, and Louisiana has been regarded, perhaps with justice, as the favoured pet of Spain.

It does not enter into my plan to go into any historical details relating to the different periods of our history; but my object is simply to call your attention to them, as worthy of minute investigation in the progress of our researches. Much interesting matter might yet be brought to light, illustrative of the characters of many distinguished persons who figured, and some of whom suffered, in the crisis I have already alluded to. What has become of the memorials and correspondence of Mihlet, who was despatched by the Louisianians to France, to entreat the king not to compel his loyal subjects to pass under the yoke of Spain? Who, that has read our earlier history, does not desire a more intimate acquaintance with the spirit of the times, and with the enterprising men who laid the foundation of the colony, and to investigate more minutely its gradual development.

II. I proceed to make a few remarks upon the second head of our proposed inquiries, to wit: the progress of our jurisprudence. The most important part of the history of a state, is that of its legislation. Upon that depends its prosperity and the character and pursuits of its people. It is not a little remarkable, that although successively an appendage of the monarchies of France and Spain, Louisiana never knew any thing like a right of primogeniture and a privileged class. No part of feudality was ever known here, neither inequality in the distribution of estate, nor fiefs, nor signories, nor mayorazgos. The grants of land were all allodial, and under no other condition than that of cultivation and improvement within limited periods; in fact, essentially in fee simple. The colonists brought with them, as the basis of their municipal law, the custom of Paris. By the charter in favour of Crozat, the laws, edicts and ordi-

nances of the realm and the custom of Paris, are expressly extended to Louisiana. To this custom, which we all know was a body of written law, may be traced the origin of many of the peculiar institutions which still distinguish our jurisprudence from that of all the other states of the Union. I allude especially to the matrimonial community of gains, the rigid restrictions on the disinheritance of children, and the reserved portion in favor of forced heirs, the severe restraints upon widows and widowers, in relation to donations in favor of second husbands or wives, by the *Edit des Secondes Voces*; the inalienability of dower, and the strict guards by which the paraphernal rights of the wife are secured against the extravagance of spendthrift husbands. The community of acquests and gains between husband and wife, is altogether a creature of customary law, unknown to the jurisprudence of Rome, and even in those provinces of France formerly governed by the written law. It is said to be of German or Saxon origin, and during the régime of the two first races of the kings of France, the share of the wife was one-third, instead of one-half of the property acquired during marriage, as regulated by the existing code. The introduction of the Spanish law in 1769, produced but slight changes on most of these points. The general rules of descent, as regulated by the law of Spain, did not vary materially from those of the custom of Paris; a perfect equality among heirs, was the essential characteristic of both codes. The points of discrepancy will form a curious subject of investigation to any one desirous of pursuing the inquiry. The existing code of this State has maintained to a certain extent those peculiarities, and they have become deeply rooted in the public mind.

O'Reilly, when he introduced by proclamation the whole body of the Spanish law, published a Manual of Practice. How far the practice was changed in substance, by that regulation, from what existed before, I am not prepared to say. It is to be presumed, from the character of those who had been previously engaged in the administration of the laws, that the practice was very simple, and perhaps, rude, and the records of judicial proceedings at these early periods, are extremely meagre. The order of the Commandant, after hearing the stories of both parties, was the decree to which all submitted.

Until the cession of the country to the United States, the writ of habeas corpus and the trial by Jury, were of course unknown here. Of the first, it is sufficient to say, that without it there can be no genuine personal security. Whatever we may think of the trial by jury, as a test of right

or law, as a tribunal to decide upon the disputed rights of the citizens in civil cases, there is one point of view in which it may be regarded as above all price, namely, as the means by which the citizens become insensibly instructed in the great leading principles of the laws, and the foundation and extent of their rights. It is the best school of the citizen. The people assemble at stated periods to attend the sessions of the courts; the discussions are public, the neighbors of the parties are called on to act as jurors; they hear the laws commented on by counsel, they receive the instructions of the court, and retire to deliberate on their verdict. Each juror feels the responsibility under which he acts. Thus, the citizens in rotation, are called on to perform highly important functions in the administration of the laws, and after serving a few terms, cannot fail to become pretty well acquainted with the great leading principles of the laws of their country, and more vigilant in maintaining their own rights. My own opinion is, that the trial by jury in the interior of this state, has done more to enlighten the people, than all the means of education which have been provided by the munificence of the legislature. Many men who can neither read nor write, are yet capable of deciding as jurymen, a question of disputed right between two of their fellow citizens, with admirable discrimination. I think I can perceive in this respect, a singular improvement in the general intelligence of the people since I came to reside here, twenty-two years ago, especially among that class of our population to whom the trial by jury and the publicity of judicial proceedings, were novelties. A friend of mine used to relate an anecdote, which illustrates this position. Two honest creoles were disputing about a point of law, said one of them, "How, do you think I don't know, Sir? I am a Justice of the Peace?" "And I" said the other, "I ought to know something about it, I have been twice foreman of the Grand Jury."

If I were to dwell longer upon the subject of our jurisprudence, this address would swell into a dissertation. Permit me to recommend this subject to your attention, and particularly an inquiry into the practical operation of the laws above referred to, which regulate the great relations of social and domestic life. Whether an equal participation of the wife in the property acquired during marriage; a right growing originally out of the presumed collaboration of the parties in a rude primitive state of society, ought still to exist in the present age of refinement and extravagance. Whether such a system be not productive of more fraud, and injustice to creditors, and disruption of families and litigation,

than of public good and domestic tranquility, are questions more proper for discussion in the halls of legislation than here; they belong rather to the legislator than the historian.

III. I should hardly be pardoned, if I dwelt long on the next subject embraced in our plan, the state of religion. I will confine myself to a single remark. Fortunately Louisiana was ceded to Spain after the Inquisition had, even in that country of bigotry, been disarmed of its terrors, and although in this country the Catholic religion was the only one openly tolerated, yet an attempt to introduce that most infamous of all human institutions, was indignantly put down by the people and the local authorities.

IV. The condition of the Indian tribes comes next. The Indians! the Indians! whether subjects of history or heroes of romance, or mixed up in the miserable ephemeral dramatic trash of the day, always exaggerated, disfigured, caricatured. They have been represented by some as brave, high-minded and capable of sustaining extraordinary privations; sometimes as cold, stern, taciturn; sometimes as gay, lively, frolicsome, full of badinage, and excessively given to gambling; sometimes as cruel, and even man-eaters, delighting in the infliction of the most horrible tortures. Some will tell you that they have a simple natrual religion; or as the poet has it:

"His untutored mind,
Sees God in clouds, and hears him in the wind;
His soul, proved science never taught to stray,
Far as the solar walk or milky way.
Yet simple Nature to his hope has given,
Behind the cloud topped hill an humbler heaven
Some safer world, in depth of woods embraced,
Some happier Island in the watery waste.
To be content, his natural desire,
He asks no angel's wings, no seraph's fire,
But thinks, admitted to that equal sky,
His faithful dog shall bear him company."

Some of the earlier historians represent the Natchez as worshippers of the sun, or worshippers of fire; as having a temple dedicated to the sun, keeping up a perpetual, a vestal fire. They conclude, of course, that those Indians must have been allied at least to the Peruvians or Mexicans, if not descended from the fire worshippers of the East. The truth probably was, that in some miserable cabin or wigwam, a few chunks were kept burning, as is the case in every Indian encampment, and indeed in every well regulated kitchen. The fact

is, that neither the pen of Cooper, nor the more eloquent and fascinating style of Chateaubriand, can inspire the slightest interest for their Indian heroes and heroines, in the mind of a man who has been much among the aborigines, and knows something of their real character and habits. With respect to those nations which yet exist, we are able to see for ourselves, and correct the false impressions which earlier writers may have produced. It is melancholy to look over the list of tribes, which were once scattered over the surface of lower Louisiana at early periods of the colony. How many of them are totally extinct! How many have dwindled down to a mere shadow, and their feeble remnant confounded with some neighboring tribe! The Attakapas, the Carancauas, the Opelousas, the Adayes, the Natchitoches, the Natchez, where are they, and what monuments have they left us, by which any trace of their history may be known? Of the Natchitoches, only a single individual exists, and he has been adopted by the Cados. Who knows anything of the language of these nations? Their language, certainly among the most curious of the remnants of erratic tribes, and by which an acute philology might perhaps trace some affinities with other existing people, is known only to a few; and they are not of that class from whom the republic of letters might expect some account of it. The powerful tribe of the Natchez is totally extinct; its last miserable remnant took refuge among the Chickasaws. There remain a few degenerate (if such beings can degenerate) descendants of the Tunicas, Chitemachas, Pascagoulas, Apalaches, and Biloxis.

Neither the French nor the Spanish governments recognised, in the Indians, any primitive title to the land over which they hunted, nor even to the spot on which their permanent dwellings were fixed. They were often grantees of lands for very limited extents, not exceeding a league square, covering their village. They were sometimes permitted to sell out their ancient possessions; and had a new locality assigned them. Many titles of that kind exist at the present time, and have been subjects of judicial decision. But the policy of extinguishing the primitive Indian title, as it is called, by purchase, which prevailed universally among the English colonists, appears to have been wholly unknown to the French and Spaniards in Louisiana. The massacre of the French at Natchez, which led to the extermination of that tribe, was provoked, by the atrocious attempt, by the commandant, to destroy their village at St. Catherine's, in order to annex the land to his own plantation.

There are many indications here, as well as in upper Louisiana and Ohio, of a race of men, long since extinct, had who probably made consi-

derable advances in some of the useful arts, and perhaps the art of defence. In Sicily Island, in the parish of Catahoula, there is a curious circle of mounds, regularly disposed, embracing a large area of alluvial soil, but little elevated above high water mark. I believe the dwelling house of the present proprietor, Mr. Matthews, is built upon one of them. There are others equally curious on Black river; and near the village of Harrisonburg may yet be traced an extensive elevation of earth, strongly resembling breast works. The enemy against which these works were thrown up, was probably the Mississippi, whose waters once flooded the whole of that region at certain stages. The study of Indian mounds has heretofore led to no important discovery upon which much reliance can be placed. It is worse than idle to indulge in conjectures upon the origin of these monuments. A few skulls, picked up here and there may indicate, perhaps, to the professed phrenologist, the former existence of a race more civilized than the present Indians, more capable of combination, having the organ of constructiveness more amply developed; but no general conclusions can be safely drawn from indications so feeble and equivocal. It would be, in my opinion, equally philosophical to conclude with the poet :

"The earth has bubbles as the ocean has,
And these are of them."

That there are, among the existing race of aborigines, instances of extraordinary capacity and power of combination, a few individuals, infinitely superior to the common herd, is undoubted. What was the boasted Cadmus of antiquity, who introduced into Greece a few letters of Egyptian or Phœnician origin, when compared with that poor, crippled Cherokee of our own day, who, by the unaided efforts of mind, by the simple power of induction, invented, perhaps, the most perfect alphabet of any existing language?

In these hasty and imperfect glances over the wide field of our proposed inquiries, I have purposely omitted to touch upon the last, or rather the present, era of our history, commencing with the annexation of Louisiana to the Federal Union, by far the most brilliant and important, and marked by great and interesting events. In relation to Louisiana, this may be properly designated as the epoch of constitutional, popular self government and of steam, as applied to navigation. The documents which illustrate this part of our history are within our reach, and ought to be collected and preserved. Forty years ago what was New Orleans—what was Louisiana? The mighty river which sweeps by us then rolled silently through an extended wilderness, receiving the tribute of its vassals streams from the base of

the Rocky Mountains on one side, and the Appalachian chain on the other; its broad and smooth surface, occasionally ruffled by the dip of an Indian's paddle, or a solitary barge, slowly creeping up stream to the feeble settlements in the interior. What are they now? This city has become the greatest mart of agricultural products on the face of the globe; and yonder river traverses a double range of states, peopled by freemen, who, by the miracles of steam are brought almost in contact with the great market for the productions of their industry. That river is literally covered with floating palaces, which visit its most remote branches; and along the extended levee fronting our port, a dense forest of masts exhibits the flags of every commercial nation in the world. At her annexation to the Union, the destiny of Louisiana became fixed—admitted at once to a participation in the great renown of the Republic, connected with it by bonds of a common interest, she sprung forward, as it were by a single leap, from colonial dependance, to the glorious prerogatives of freemen, and to the enjoyment of the most luxuriant prosperity.

Let us endeavor to make a wise use of this prosperity, and do something for the cause of letters. Colleges are springing up under the generous patronage of the Legislature, which promise soon to be amply sufficient for the education of the rising generation. The Medical College of this city, the offspring of private enterprise and sustained by the devotion of a few medical gentlemen to the cause of science, deserves public encouragement, and I trust will receive it. The Lyceum of this city promises to unite utility with all that is agreeable in the public discussion of interesting topics. Let us turn aside, occasionally at least, from the worship of mammon, devote some of our leisure moments, stolen from mere sordid and engrossing pursuits to the cultivation of liberal studies. Who does not sigh, sometimes, amidst the bustle and struggle of active life, to retreat upon the studies of his youth? To fly to his early friends; friends who never deceived him and never weary; to the society of the philosophers, poets, historians of past times, and to bask in the mild radiance of those great luminaries of the intellectual world; to renew again those studies—which, if you will allow me to paraphrase the splendid eulogium of the great master of Roman eloquence—studies which form the generous aliment of youthful mind; the hoped for delight of declining years; the best ornament of prosperity; in adversity our surest consolation and refuge; inexhaustible source of the purest pleasure, whether at home or abroad, whether engaged in the bustle of the city, or enjoying the sober tranquility of rural life.

ART. III.—NEW ORLEANS, HER COMMERCE AND HER DUTIES.

When we look at the map of the world, the mind is struck with astonishment at, the extent of country which lies back of the city of New Orleans, whose *natural* outlet of productions must be through her port. If to the extent of country lying between the Appalachian and Rocky Mountains, comprising as it does, near a million and a half of square miles, we add the consideration, that in point of soil, salubrity of climate, and its one thousand rivers, all teaming into the Mississippi, and watering the finest portion of our globe, the imagination is taxed in vain, to tell what a century, nay, what a few years may produce, and what the results may be to New Orleans in making it the greatest and most commercial city of the world. It is within the recollection of many now living, when it was an inconsiderable town, and all its interior commerce was carried on in *pirogues*, and in that of thousands when it was all done by a few barges, keel and flat boats. Look at it now, even still an *infant*, and what do we see? Last year, her commerce equalled one fourth of the whole of the commerce of Great Britain, and the day is not distant, when the commerce of New Orleans, will not only equal the whole commerce of that Island, but must greatly surpass it in extent and value!

In the year 1790, a little over fifty years ago, the entire white population of the great valley of the Mississippi, but little exceeded one hundred thousand inhabitants, now it contains near ten millions.

The increasing ratio of population of this great country of the West, if it should continue at the same rate, as evidenced by the census for 1830 and 1840, (and who can doubt it) will in twenty years give forty millions of inhabitants; the natural outlet for the productions of their labor is New Orleans. The value of products of the ten millions who inhabit this great valley, that reached New Orleans the past year, was 77,193,460 dollars, under all the disadvantages incident to a newly settled and still rapidly settling country, (the people themselves, requiring a vast amount at home, for the supply of new comers every year,) what may we expect the improvements and the extensions of farms already in cultivation, added to new ones to be made in the next twenty years only, will add to the present value? Would it be extravagant to suppose that it will quintuple the present amount? Would not indeed the increase be likely to be greater, rather than less? If the ten millions of inhabitants are now able to spare near eighty millions dollars of products, would not forty, or even thirty millions of inhabitants, at the end of twenty years, with all the improvements they bring, be able to spare five times as much?—

This is a question of importance, and should be approached with all the lights the past may be able to furnish. Taking the past four years, as furnishing some reasonable data, we find that the value of Western products received at New Orleans was, in

1843,	-	-	-	-	53,728,054,
1844,	-	-	-	-	60,094,716,
1845,	-	-	-	-	57,199,122,
1846,	-	-	-	-	77,193,464,

giving an annual increase, after deducting the per centage between 1845 and 1844, of an average of nearly 14 per cent. The Hon. Jno. C. Calhoun, in a report made by him to the Senate of the United States, on the 26th of June last, on the subject of the great Memphis Convention estimates, the whole annual average of *increase* of the commerce of the Mississippi, at eleven and one-half per cent., assuming only ten per cent., (and we can see no reason to suppose but what the rate will rather increase than diminish) as the annual average increase for twenty years to come, and we have the results in the following tables:

In 1846 the value of prod. was		\$77,193,464	1857 brought up	220,241,957
10 per cent increase		7,719,436		22,024,195
1847	-	-	1858	242,266,152
	increase	8,491,281		24,226,615
1848	-	-	1859	266,492,767
		9,340,409		26,649,276
1849	-	-	1860	293,142,043
		10,274,450		29,314,204
1850	-	-	1861	322,456,247
		11,301,895		32,245,624
1851	-	-	1862	354,701,871
		12,432,084		35,470,187
1852	-	-	1863	390,172,058
		13,675,292		39,017,205
1853	-	-	1864	429,189,263
		15,042,822		42,918,926
1854	-	-	1865	472,108,189
		16,547,104		47,210,818
1855	-	-	1866	519,319,007
		18,201,814		57,921,900
1856	-	-	1867 val. of prod.	\$571,250,987
		20,021,996		
1857		220,241,957		

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On the supposition it will only quantuple itself, the commerce will be \$385,967,320, or \$185,283,587 less than the above table. If Mr. Calhoun should be correct in assuming eleven and a half per cent., as the average annual increase, it would amount to over six hundred and eighteen millions. An amount of commerce greatly more than ever was thrown upon one city before in the world. It looks as if nature in the formation of the Mississippi River, and the immense country it drains by its thousand rivers, and twenty thousand miles of inland coast, intended to throw all her other works into the shade.

To bring to New Orleans the products of the past year, required 2770 steam boat arrivals, and 2763 flat boats, and to carry away that portion destined for foreign or coastwise shipment 2085 ships, barques, brigs and schooners. In twenty years more it will require eight times as many, viz: of arrivals of steam boats 22,160, of flat boats 22,104, and vessels to carry it away 16,680, being an aggregate annual number of nearly sixty-one thousand vessels to the port of New Orleans: or over five thousand per month; or one hundred and sixty-nine per day. But it is reasonable to suppose that the number of flat boats will not increase in the same proportion, in consequence of the superior advantages of steam boats in the saving of time, and when the attention of Government is directed properly as it must be, to the clearing out of the navigable streams and rendering them of easy and safe access by suitable steam vessels, they must multiply, while flat boats must diminish.

But with all her natural advantages, New Orleans has much to do, and which is immediately demanded at her hands. It is not to be questioned by any one acquainted with the inland commerce of the great West, that much of this commerce, is now already, and a great deal more will be taken from New Orleans to the northern Atlantic sea board, by way of the numerous Canals and Railroads, already in existence, and others that may follow after, and by way of the Lakes. Already is there a connection existing between the waters of the Ohio River and the northern Lakes, connecting with Canals, Railways, etc. leading to Boston, New York and Philadelphia, and on which produce can be transported to these northern cities as cheap, or cheaper than by way of New Orleans, and without the risk from snags in our rivers, which occasion so heavy insurance, and other objections and injuries to which produce is liable on coming to New Orleans, under the present meagre facilities now offered by the city, for *safety, convenience and saving of expense.*

It appears, from the "most reliable sources of information, that the present cost of the transportation of a barrel of flour from Cincinnati

to New York by way of the Ohio and Erie Canal, Lake Erie, and the New York Canal, is \$1 35. From the same place, via the Ohio River, Pittsburgh, and the Pennsylvania works, \$1 40, and via New Orleans, \$1 38. Besides this, there is usually an allowance of some ten or twelve cents per bbl. *for extra risk*, and for *soiling*, the barrel at New Orleans; which will make the cost, in fact, by this route, almost \$1 50." But, by conversing with intelligent merchants engaged in the Western trade, the risk and *soiling*, it will be seen, is placed much too low, and that it will be nearer fifty cents per barrel, than ten or even twelve cents.

But, besides the canals already in successful existence, connecting the waters of the Ohio River with the Lakes, through the great State of Ohio, Indiana and Illinois have others now under way, tapping the Ohio almost at the lowest point, and which, when finished, must under any circumstances, divert an immense amount of trade from New Orleans.

Besides these, the great works of Pennsylvania, both in Canals and Railroads already in existence, we have to add the Chesapeake and Ohio Railroad to Baltimore, now so far completed as to warrant the belief that a few more years will see its Western terminus at Wheeling, on the Ohio, and ready to transport, in a *few hours*, all products, at a cheap rate, immediately on to Baltimore; and, if need be, by way of the railroad to Philadelphia or New York, as the owner may choose; thus giving him the advantage of the market of all the Atlantic cities.

But there is another work destined to influence powerfully the course of the Western trade. We allude to the Richmond and Ohio Railroad, an act to incorporate which, passed the Legislature of Virginia on the 2d of February, 1846. The Company is charged with the duty of constructing a railroad from the city of Richmond, on the South side of James River, to some point on the Ohio River, at or below the mouth of the Great Kanhawa river. Guyandotte will, in all probability, be selected as the point, as it is at that place the first considerable shoals present themselves in obstructing the navigation of the Ohio River above Louisville.

This work, when completed, will present the following advantages: 1st. It will open the shortest route from Cincinnati, on the Ohio River, to New York; and when completed, will form a continuous route of Railway from Guyandotte, (Cincinnati being about the centre of the Western produce region on the Ohio river,) to New York; viz: from Cincinnati to Guyandotte, 170 miles, Guyandotte to Richmond, 400, Richmond to Washington, 120, Washington to Baltimore, 38, Baltimore to Philadelphia, 96, Philadelphia to New York, 86; 910 miles.

By way of the Ohio and Erie Canal, and the Lakes and New York Canal, the distance is 1126 miles from Cincinnati to New York. But the great advantage is, that the route from Guyandotte, by way of Richmond, is open at all times, with but rare exceptions, whilst the Canals are closed by ice on an average of 124 days out of each year. It is true that the Ohio River is sometimes blocked by ice, but never very long at any one time. When we therefore take into consideration, that all the dangers of our Mississippi River navigation are avoided, and insurance almost superseded—and the fact experience teaches, that the rate of transportation will be less than it is at present by way of New Orleans; to which, add the fact, that flour is always from fifty to seventy-five cents higher per barrel in New York than in New Orleans—we think we hazard but little in arriving at the conclusion, that this route is destined, when completed, to work a vast change in the destination of Western produce. Add to this the reflection, that this is but *one* of the means resorted to for the purpose of drawing the commerce of the Western country, by artificial channels, to the Atlantic border, to say nothing of the fact, that New Orleans is doing nothing in the way of removing obstacles now in existence, or making any effort to prevent to the Western commerce those cheaper facilities which can and *ought* to be done, to insure all or as much of the produce from the West to seek its market, either at or through New Orleans. It cannot but be obvious to every thinking mind, that at least one half of that commerce may be diverted away from New Orleans to seek a market through other channels, which otherwise could be rendered tributary in building up her city. In looking at the country on the map, the portion lying North of the Ohio River, and regarding its extent, and the various artificial means already completed, now in progress, and which may hereafter be undertaken and completed, we shall find New Orleans has no small opposition to encounter and overcome, in order to place herself on an equal footing in this contest for the trade of the valley of the Mississippi. It should also be borne in mind, that the people of slave States are always the last, or generally so, in adopting those improvements necessary to facilitate commerce and cheaper transportation from the point of production to the point of sale or market. To such as have not reflected on this subject, the following observations will enable them to appreciate the correctness of the remark. In the free States, every man has personally to superintend the getting of his produce to market. This awakens his *thinking* powers, and the obstacles he has to overcome in wagoning his property, (as he is himself

generally the wagoner,) stimulates into successful existence, first, turn-pike roads; secondly, canals; thirdly, clearing out rivers and streams, and lastly, railroads. Now, on the other hand, the *slave*, and not the master, is the driver of the wagon; and so he *gets along*, but little matter how long, how troublesome, difficult, or laborious, the *negro* only sees and feels all this inconvenience, and the master is the last person to be aroused to make any improvement in his means of getting his produce to market; and, consequently, slave States, in matters of Internal Improvement, are never leaders.

But beside this, with a man owning a hundred slaves, there is but *one* mind to think; whereas, in the free States, the same number of persons would constitute one hundred and one *thinkers* and *actors*; and, it is *impossible* to contend against intellectual power, and its influence in such matters. To illustrate this by one example: In 1769, the imports of Virginia amounted to \$4,085,472; while that of New York was only \$907,200; and yet, in 1832, the imports of Virginia were only 550,000, while that of New York amounted to the sum of \$53,000,000, in round numbers. At the period of taking the first census, in 1790, Virginia contained 747,610 inhabitants, and New York 340,120; and, by the census of 1840, Virginia had 1,237,797, and New York, 2,428,921! The value of lands in New York in the year 1825, at the period she finished her great canal, was \$174,024,175; and in 1835, only ten years afterward, that valuation had risen to \$241,385,050! while Virginia, on the contrary, has, in all probability, not added anything to the aggregate value of her property.

These things premised, the question arises, what ought New-Orleans to do? It is a momentous one, and that should be approached with care, and examined fully. But it may be asked, can any thing more be done than is already done? We shall not undertake at this present time to point out all that should be done, but to make some suggestions by way of arousing the public mind to the *present immediate* and pressing wants, such as the commerce of this city imperatively demands *now*.

And the first thing to which we invite attention is one, the nature of which is within our reach, and competency to manage and arrange, viz: to *provide all facilities for the convenient reception of such produce, as is destined by the Western shipper to go forward to foreign or coast-wise ports, ensuring safety, economy and despatch in its transmission.*

Of the whole amount of Western produce annually received at the port of New-Orleans, at least three-fourths, if not more, is destined for a foreign or coast-wise port. This produce on its arrival is thrown out upon

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our wharves and levees, and by the time it reaches the warehouses, it is very much *soiled* and otherwise injured, requiring a considerable expense in cooperage, and other repairs rendered absolutely necessary, with all the caution and care that may be bestowed upon it; besides, adding the expense of drayage to the warehouse from the steamer, and drayage back again to the ship, when it is to be re-shipped. But this state of things is greatly aggravated if the weather should be rainy, and the wharves and levees wet and muddy, and which is most likely will be the case, either on the delivery from the steam boat, or at the time of its re-shipment. With all the advantages of tarpaulins to protect from showers of rain, and the exercise of the most prudent care in the use of them, yet the fact is manifest, that it is not a sufficient safeguard, to say nothing of the mud, which no tarpaulins can guard against. There are many articles thus seriously affected by the *dampness* contracted, which the owner of the produce finds he has to foot, when he receives his amount of sales. Wheat, corn, oats, rye, hemp, bagging, bale rope, salt, &c., are all easily injured by damp, to say nothing of the *soiling* of the barrels and packages by being rolled in the mud. We know that with all the care taken by the proper authorities, to provide shells, &c., for the purpose of keeping the levee free from mud, yet a sufficiency will accumulate, in spite of every precaution, to soil every thing put upon it, and we all know how little rain will make that soil stick to the package with pertinacity. But, ought produce destined to go from New-Orleans be subjected to the charge of a *double* drayage? As at present situated, it cannot be avoided. But is it not an injury to the prosperity of New-Orleans that it is so? Is it not *adding* to the reasons, why men having property to go forward to foreign or coast-wise ports, that they should select these artificial inland routes, rather than send by way of New-Orleans? It certainly is. All the business that we can fairly get in an honorable competition, to seek its outlet for a foreign or coast-wise port by way of New-Orleans, adds that much more to our wealth, and aids in building up our city. To illustrate by a single item the disadvantages we now labor under in this respect, let us take a single case, and what is said in relation to this one, is equally applicable to every other. A merchant of Cincinnati has one hundred thousand bushels of wheat, which he wishes to send to New York. This wheat is put up in fifty thousand sacks of two bushels each. As we are now situated, he knows this wheat has to be drayed to a warehouse on landing in New-Orleans, which will cost him four cents per sack, amounting to \$2,000. He then has to pay another drayage back to the ship, besides his *storage* bill. But this is not all;

his wheat may arrive or be shipped in rainy weather—or it may get wet in its transit from the steamboat to the warehouse, or from the warehouse to the ship by a sudden shower coming upon it. This subjects him to a loss of more or less, and all these expenses and losses are to be added on *account of his shipment by way of New-Orleans*, which, when he comes to take into consideration, may induce his selection of the interior artificial route. But this is not all—the time will come *when it will be, only in consequence of its greater cheapness that any business of this sort will be thrown upon New-Orleans: for the other routes having the advantage of rail way, will secure, in consequence of their speed and quickness, all the business in Western produce, intended for a market at the North, at the same rate of cost that would take it by New-Orleans, and consequently, we are bound, if we expect to retain it, to make New-Orleans the cheapest way of sending it forward.* In addition to this consideration let it be borne in mind, that flour is always worth in the New York market from fifty to seventy-five cents more per barrel than in New Orleans, and that under the most favorable circumstances of weather, the rolling of flour over our wharves and levees is an injury of twenty-five to fifty cents per barrel more, besides the expense of drayage and cooperage. If all these matters are properly viewed, we think that the reader will come to the same conclusion we have, that *something must be done*, or we shall loose an immense deal of our trade.

The question is one that has to be answered *now*, and acted on immediately. There is no time for delay. Every day we delay action upon it is adding that much more strength to the opposition to be overcome, from an inland competition.

With due deference to any better opinion that may be offered, we beg leave to suggest, that a petition be immediately prepared, and presented to the Legislature, soon to convene, asking that body to confer upon one or more of the Municipal Councils of the city of New-Orleans, the power to authorize the erection of warehouses *upon the levee*, and if need be to block up the *front on Levee street*, and to collonade over the wharves in front of them to the water's edge, leaving at least sixty feet of the collonade open to the public, as also the streets leading to the river, so that vessels can at all times land or unlade their goods without injury from the weather. The warehouses being joined to those collonade sheds, could receive all such produce as is destined to go forward, without any charge for drayage, and at the same time avoid the injuries to which goods are now subjected from wet, damp levees, and soiling from dirt or mud. This is within the competency of New-Orleans now and

if done would remove some serious difficulties that are urged with good cause against making New-Orleans the shipping point of the produce of the West.

No reasonable objection could be had to conferring this power upon the Council of the third Municipality. At present that point of the city has little or no business, and her port is one of the best for shipping to take in cargo, and for the landing of steamboats to put out cargo. Situated as it is, the interests of the other municipalities would be promoted by making it the great shipping port, and thereby causing some business and improvements to go forward in that part of the city, and reserve the first and second municipalities as the centre of business.

Another matter worthy of attention at this present time, is the clearing out of the snags and improving the navigation of the Mississippi River and all its tributaries. The numerous losses of steam boats sustained within the last year, all point to the necessity of strongly memorializing Congress by some concentrated action with other cities and towns of the South and West, as to enable that body to pass an act appropriating a sufficient sum of money to carry out the object, over the head of the President, and his veto. In the meantime, while this is preparing, the Legislature should be invoked, to instruct our Senators and request our Representatives in Congress to press this matter, as one of vital importance to the welfare of the State, and the advancement of the interest of her great commercial emporium.*

It may be objected by some, in relation to the first proposition, that there is not now more than sufficient room on the levees and wharfs

* We have allowed the writer to express his views freely, as we know them to be those of a very large and influential class of our citizens. The Review can in no sense be made responsible for the positions taken by any individual over his own name. If any party doctrine appears to be favored in this instance, it must be remembered that in previous numbers of the Review, doctrines of the opposite party have in some degree been countenanced by our contributors. The truth is, it is utterly impossible in a work of this character to avoid entirely these subjects. They approach us at so many points, that there is no escape. We still however preserve the resolution of strict neutrality, so far as the editorial charge is concerned; and what is more, we shall not permit from others the advocacy of any party measure, whatever, except done in the spirit of inquiry and investigation, and in such terms as can prove offensive to no one; not even the most acutely sensitive. With such restrictions, we can anticipate no evil effect—and the cause of truth must be advanced.—[EDITOR.]

for the convenient discharge of cargo from ships and steamboats, and that the erection of such improvements as are proposed, would rather be an obstruction than otherwise. To this objection, it will be sufficient to say, that in no city of any commercial importance, is there to be found a space of *even sixty feet*, much less such a space as is presented by our levees and wharfs, where, in some places, from 400 to 600 feet are left open. In New York, Boston, Philadelphia, and Liverpool, the space allowed does not exceed 50 feet in width, and much of it greatly less, for the discharge and reception of cargo from ships and other vessels. Those who take that view of the subject, must necessarily suppose that we of the South, and particularly of New Orleans, have not the capacity for the transaction of such business, as appertains to our Northern brethren or our trans-Atlantic friends, a position of humiliation, it is believed, few would be willing to aver, much less to urge as a reason why the measure should not be adopted. If, however, it should unfortunately be the case that we are not competent for the transaction of our business, we do not despair, that upon a proper representation being made of our unhappy case, a supply of talented gentlemen, would in kindness be sent on by our Northern friends and brethren, to take charge of us and our business, at a reasonable compensation, to be agreed upon. But not fearing to trust our present and the future destinies of our commercial emporium to the talent and management of our citizens, and not doubting their ability to meet successfully in competition with the most intelligent of any other city, we beg for the present to leave the subject before them for their consideration and action.

ART. IV.—VENICE—ITS GOVERNMENT AND COMMERCE.

The history of Venice affords matter of interest to the merchant and the philosopher, as well as to the painter and the poet. The most powerful and lasting of those Italian states which form the connecting chain between ancient and modern civilization, Venice may be regarded as the type of the commercial republics which flourished during the middle ages and exercised so great an influence on the governments and arts of Europe. During this century, Venitian history has been oftener the subject of the imagination than of the reason; but during the seventeenth and eighteenth centuries, political actors and theorists were disposed to regard its government as the most perfect in existence. The republic

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has fallen, and we now perceive more clearly the fallacy of the principles on which its government was founded. The Ducal Palace, the Church of St. Mark, the winged lion and numberless patrician mansions still stand; and they bring before the fancy a thousand enchanting pictures of the past, with forms and colours, rounded and mellowed by time. Let us see if we cannot from the ruins of the republic extract some lessons to guide us in the conduct of the future.

When Alaric, with his Northern soldiers, was threatening to invade and overrun Italy, a considerable number of the *Veneti*, a tribe of Cisalpine Gaul, determined to leave their homes, and find a place of refuge safe from the inroads of Gothic barbarians. They retreated to the mud islands at the mouth of the Brenta, and there built a few huts which were, in time, succeeded by magnificent palaces. When all are poor, all are equal; and it was natural that the fishermen of the Lagune should constitute a democracy. In the course of two centuries and a half, even during those ages of slow progress, we might suppose that in a town situated like Venice, such a state of society would arise as would require other than democratic forms of government; and accordingly, we find that towards the close of the seventh century, a change occurred in the political organization. It seems to us that in a city-state, particularly when separated from the main land, and thus isolated in position, a democracy cannot possibly exist for any length of time. All limited government must be the result of conflict of interests; for in absolute governments the interests of the ruled have succumbed to those of the rulers, and when the individual interests are identical, there is no need of a restraining power. If the territory of a state is not sufficiently extended to produce, by different geographical position this conflict of interests, orders must arise. These orders being confined in a narrow space, faction results; and, in the end, all must submit to one order, or the state will be swallowed up by its neighbours.

We know so little of the early history of Venice (in fact, of what country except our own, have we anything like perfect details of its early history?) that it would be impossible to trace the gradual tendency towards the change brought about in its government at the close of the seventh century. From what we do know, we have no doubt the change was a beneficial one, required by the progress of Venetian society. The new constitution was a mixture of the three forms, in which the aristocratic preponderated. But considerable powers were given to the Doge; and he, by generally keeping the people on his side, was enabled to hold the patricians in check.

As we have said, the aristocratic element was the most powerful in the second organization of the state. It was kept in due subordination, however, until the beginning of the fourteenth century. During that century, the nobles gradually, but surely, increased their powers, and succeeded in crushing the conspiracy of Marino Faliero, which had for its end the maintainance of the old forms and laws. Under Francisco Foscari (A. D. 1423, 1457,) the republic may be considered as having reached the state of pure aristocracy. The facts in the life of Foscari show the complete nullity of the Ducal power, even when the Doge had with him with the popular sympathy. At one period, Foscari wished to retire from public life; but the patricians refused to let him resign the Dogeship. From this we perceive his complete slavery; for no slavery is so abject as that which forces a man, against his will, to be the instrument through which others exercise power. Afterwards this same Foscari was deposed at the instigation of an enemy, Loredano; and thus for the sake of humbling a powerful family (an important object in aristocracies,) the nobles listened to the voice of private malice, while they disregarded the prayer of one who had done most signal service to the state. The aristocracy continued to exercise almost unlimited domestic power until the downfall of the republic. Having thus given a condensed account of political changes in Venice, we wish to examine the influence of its different governments over the habits, particularly the commercial habits of the people.

We observe, at first glance, that the most flourishing period of Venice was from the beginning of the eighth to the end of the fifteenth century. This was the period of both the political and the commercial glory of Venice. During this time the state made extensive conquests on each side of the Adriatic, and maintained the strongest navy in Europe; while the Venetian merchants were the carriers and bankers of almost all the kingdoms of the West. Was there not some connection between this flourishing condition of the nation and its peculiar political constitution? It would not do to say that the one was entirely dependant on the other; for all effects must have more than one cause. Doubtless, geographical and foreign, as well as domestic causes had an effect on the condition of the republic. But we think historians have been disposed to attribute too much to the first causes, and too little to the last. It would be as wise to say that all the actions of a man are determined by external circumstances, and that his spirit had no influence over his conduct, as to say that all the events of a nation's history depend on geographical position and foreign causes and very little or nothing at all on the domes-

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tic state of the nation. In speaking of the extent of Venetian commerce during the middle ages, writers talk nearly altogether about the crusades, the trade of the East, the central position of Venice, &c., and when telling of the decline of this commerce, the great cause given, is the discovery of the passage around the Cape of Good Hope. These facts are, no doubt, important; but are they every thing? Place a people in the best position imaginable, and if they are without national spirit and energy, they will do nothing. On the other hand, modern history shows us that a community with enterprise, placed in a very unfavorable position, will arrive at wealth and power. Hence, we conclude that the national spirit has as much, if not more influence over the national destiny than any external causes whatever.

In tracing then the influence of government on *commerce* we must observe its influence on the national spirit; for commerce is chiefly dependent on this spirit. To the development of commerce, courage and a sense of security are necessary; while fear and the feeling of insecurity tend to repress it. The merchant must not only know that his gains will be secured to him; but he must have the boldness to conceive and the energy to execute new and great enterprises. If then, the government of a country depresses courage, and raises fear, it must be unfavorable to commerce. On the contrary, increase the courage and self-reliance of a people, and they will extend their commerce. We conceive that trade is more influenced by government thus indirectly through the national spirit, than by the direct means of tariffs and bounties.

How then, is national courage fostered? And let it not be supposed that it is a question important only to conquering, and warlike tribes or people. No; courage is at the bottom of all men's greatness and power, and without it, a nation must die, ignobly, deservedly. But, with this principle ever brightening and increasing, there is no end to a people's career.

In analyzing the principles on which governments are founded, Montesquieu has assigned to despotism, the principle of fear. And if we take despotism in its most enlarged sense, the philosopher was no doubt right. We must understand by despotism, absolute government, no matter whether in the hands of a one, few, or of many. Fear is produced by absolute power, and it matters little where the power is lodged. And as fear is a mere negative quality, the absence of courage, as darkness of light, we may say that where there is least power given to one man over another, in other words, where there is most freedom, there will be most self-reliance and courage. We may put our reasoning into the form of

a syllogism, thus: freedom increases courage, courage increases commerce; therefore, freedom increases commerce.

This may appear a trite conclusion; every school boy will tell you that freedom is favorable to commerce. The conclusion is of little use in itself, unless you can find out the reason of the fact. Besides, observations are under the control of prejudices; and a man's facts are made by his opinions. But political reasonings founded on the nature of the human mind, are, in themselves, unanswerable. We place the chief importance of our analysis in making courage the link between freedom and commerce.

The great cause in the decline of Venetian commerce towards the end of the fifteenth century was, we conceive, the degradation of the popular spirit. Instead of being one of the best and wisest of governments, as was once the general opinion, we think this pure oligarchy of Venice was one of the worst and most short-sighted that ever existed, for arriving at all the really great ends of society. Not only had it the absolute power requisite for generating fear: but there was a grave-like secrecy in its operations. The citizen knew not when he was safe from the arm of those "up above," as the head oligarchs were significantly designated. Who could feel secure under a government, when seeing his neighbour one day quietly carrying on his trade, and missing him the next day and the next, dare not ask whither he had gone, through fear that his inquisitiveness might cost him his life? The bold, courageous soul can bear up for awhile against open power; but when the power is secret, and we know not when or whence it may fall upon us, the nerves relax and the heart sinks. We dread not the lion so much as the tiger, creeping stealthily on his prey and seizing it without the least warning. The matter for admiration is, how even patrician cunning could carry on a state like that of Venice for upwards of three centuries and a half.

To account for the great influence the discovery of the passage round the Cape of Good Hope, and the commercial changes consequent thereon had over Venice, we must take into consideration the state of the republic. Physicians tell us that there are some conditons of the body in which the slightest wounds will produce lock-jaw and death. So with the body politic. If a community is weak in itself, it will be the sport of external circumstances; the dismantled and rudderless vessel is at the mercy of the winds and waves. But it may be objected, that, during the sixteenth century, Venice maintained much of her political ascendancy, both in Italy and Europe; yea, even that she never appeared in so envia-

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ble a position as when resisting the powerful league of Cambray. The war brought on, however, by this celebrated League was, on the part of Venice, wholly a war of resistance; and we know how much less spirit is necessary for a defensive than for an offensive war. The resistance of Venice to the League of Cambray reminds us of the Spanish resistance to Napoleon. A nation may be comparatively torpid and spiritless, and yet drive out a strong foe from its territory. We notice that after the fifteenth century Venice never engaged in any important war of conquest. The chief object of its rulers after this period seems to be that of weakening the power of its neighbours, and by maintaining, at the same time, the original influence of the republic—thus increase its relative confidence. Such policy indicates a sense of weakness, and shows how little confidence the nobles had in the courage of the people. Remarks similar to those on Venetian politics may be applied to Venetian commerce. At the time of the discovery of the passage round the Cape, there was still energy enough left in Venice to retain the commerce it already possessed; but the discovery of this passage made it necessary for merchants to launch out into new seas and open new fields of enterprise. The oligarchy had dried up the source for the conception and execution of bold projects; and Venice was left behind in the race of commercial greatness. It was as impossible for the people to make commercial conquests, as for the State to wage a war for territorial acquisitions.

Let us compare the career of Venice with that of England. How many mutations in trade have occurred and left the commerce of England still increasing? Deprived in the last century of the largest portion of her North American colonies, the enterprise before engaged in colonial trade, was not destroyed; it was only turned to other purposes. And at this very time when the trade of the East seems to be returning to its old channels, across the Isthmus of Suez and through the Mediterranean, we see how impotent are the struggles of Austria and even of France, to wrest this commerce from England. In this contest, geographical position certainly favors the two former powers; and even imagine that they may, in the end succeed, how long must be the struggle—how great the exertion to maintain the conquest! Did Venice make any efforts to compete with the Western nations in the Indian trade carried on around the Cape of Good Hope?

Although Venice thus yielded up her Eastern commerce almost without a struggle, it had not existed without producing important and permanent results for Europe and the world. In the early part of the thirteenth

century, the warlike and pious of Western Europe had determined on a fourth crusade; and ambassadors were sent to Venice in order to make arrangements for the transportation of the troops into Asia. The Venetians gladly entered into a contract for performing this service; and made such a bargain with the crusaders as shrewd merchants might be supposed to make with ignorant and enthusiastic soldiers regardless of money. The blind Doge Dandolo, "the octogenarian chief," embarked with the French troops; and on their way to Palestine, the holy warriors determined on interfering in the domestic affairs of the Greek empire for the sake of restoring the young Alexius to the throne. That jealousy which always springs up between powerful neighbors, rivals by position, existed to the fullest extent between the Venetians and the Greeks. Of course the Venetians were anxious for an attack on Constantinople; and did all in their power to urge this measure with the French crusaders. These last, impelled by the same spirit that made them restless at home and eager for adventure, were ready for any enterprise. Accordingly, the capture of Constantinople was resolved on. After leaders and soldiers, particularly old Dandolo, had all distinguished themselves in the siege, the city was taken by the combined French and Venetian force. To the French the victory was almost wholly useless: after a short possession of the Capital, nothing remained to them but the glory of the exploit. The Venetians, however, made a different use of the fortune that fell to their hands. They fixed commercial establishments in the interior of the Byzantine empire, learned the Greek language and carried on an extensive trade with the people. In their intercourse with the Greeks they discovered the existence of an ancient and most perfect literature: and through the efforts of merchants, nobles and scholars the finest literature of Europe, was recovered and again presented to the world.

At this time there were few States in Europe, besides Venice, that would have condescended to carry on any sort of communication with the Greeks. Regarded as heretics by the members of the Latin Church, the Greeks were excluded from almost all intercourse with the nations of the West. But the whole history of the Venecian people shows that they were singularly tolerant in religious matters. We trace this tolerance also, in a great degree, to their commercial occupations. Travelling into all the known countries of the world, even into exclusive China and remote India, the Venetians saw man in almost every variety of circumstance, holding all sorts of religious tenets;

with minds enlarged by such extended experience, they learned to recognize probity and truth among the worshippers of the Grand Lama as well as among the legitimate children of Mother Church. It was fortunate for Commerce and Literature and Art, that the fanatical knights of France, were accompanied in the siege of Constantinople by the commercial citizens of the Lagune.

The religious tolerance of the Venetians, which we have attributed to their commercial spirit, had other effects. They always resisted manfully the extravagant demands of the Roman church. During the middle ages when the Jews were banished from nearly all the kingdoms of the West, they were received in Venice and civil rights were granted to them. And now as the stranger walks through the narrow streets of the city he is struck at the number of Israelitish faces that he meets and at the number of palaces inhabited by Jewish owners. Almost all the villas situated on the banks of the Brenta between Venice and Padua and once owned by the patricians of the republic, have fallen into the hands of the Jews. The separate burying-ground on the Lido is one of the few marks of distinction between the Jews and the Christians; and the poetry of this situation, the majestic city on one side and the stormy Adriatic on the other, is enough to compensate the persecuted race for their exclusion from consecrated ground.

One of the most remarkable books of travel (of which they had many) left by the Venetians is the account given by Marco Polo of his voyage to China. For a long time the book was regarded as a tissue of fictions—invented by an imaginative man for the sake of astonishing the Western world; but late travelers have confirmed, to a remarkable extent, the truth of his statements. Had Polo's countrymen but possessed the necessary energy, they might on losing the Indian trade—have forced their way into China, and thus have opened a commerce reserved for the merchants of our own time.

A singular faculty of the Venetian mind was its capacity for distinguishing and re-producing colors. The glorious tints of the Venetian pictures have for three centuries been the admiration and wonder of painters; and the brilliant coloring of the glass and bead manufactories at Murano still attracts the attention of the chemist and the merchant. After the masters of the Venetian school, it is not difficult to account for the national taste in coloring; but before Titan and Paul Veronese could execute their conceptions, it was necessary for the subordinate art of mixing of colors to arrive at a certain state of perfection. No doubt the

Indian stuffs so remarkable for their dyes had some influence in awakening and cherishing the Venetian taste for colors. The objects which, we continually behold, modify not only the simple perceptive faculties of the mind, but also the artistic and imaginative powers.

The recent commercial history and present condition of Venice need not detain us long. Since its cession to Austria, the city has lived quietly on, the life of a paralytic, breathing and digesting, but giving us no sign of more active qualities. Besides, the Aulic Council and the Emperor are more partial to Trieste than to Venice; and their aim has been rather to build up the former at the expense of the latter. Trieste is nearer Vienna, and is not so Italian in its character as Venice. In 1835, however, the Austrian government made an effort to restore something of its ancient activity to Venice by making it a free port; and it has, to some extent succeeded. But the city must be "born again", it must have a new life breathed into it, before it can attain to anything like its former prosperity and commercial importance.

ART. V.—COMMERCIAL JURISPRUDENCE.

LIABILITY OF MUNICIPAL TAXES TO SEIZURE UNDER EXECUTION.

This was a case appealed from the Third District Court of New Orleans, in which the Plaintiff was the New Orleans and Carrollton Rail Road Company, and the Defendant, **Municipality No. 3**. The question involves great and important principles, and its discussion and determination by the Supreme Court of the State, have been conducted with signal ability. The opinion was read on the 14th December, by the Hon. P. A. Rost, and we have heard it every where spoken of in the highest terms. The reader will agree with us, that its publication is an act of general service, and we have therefore had it copied out from the records of the Court.

The plaintiff who is a judgment creditor of Municipality No. 3, availing himself of the provisions of the act of 1839, made many tax payers of the Municipality garnishees under his execution, and propounded interrogatories to them, to ascertain the extent of their indebtedness for city taxes.

The defendants obtained an injunction on the ground that taxes are not not liable to seizure under execution.

The plaintiff joined issue on that allegation, and judgment having been rendered against him in the Court below, he appealed.

We concur with the plaintiff's counsel, that the issue in this case is

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exclusively a question of law ; we dismiss therefore from our consideration all questions of expediency, which it may be supposed to present.

In the case of *McCulloch, vs. the State of Maryland*, Judge Marshall said :

“ A constitution, to contain an accurate detail of all the subdivisions of which its great powers will admit, and of all the means by which they may be carried into execution, would partake of the prolixity of a legal code, and could scarcely be embraced by the human mind.— It would probably never be understood by the public. Its nature, therefore, requires, that only its great outlines should be marked, its important objects designated, and the minor ingredients which compose those objects, be deduced from the nature of the objects themselves.”

From the peculiar relation of the government of the United States towards the State government, much diversity of opinion may exist with regard to the application of those principles in the construction of the constitution of U. S.; but there can be no difference of opinion on the subject, in a question involving the consideration of the constitution and government of a State, where no question is involved of positive or implied constitutional inhibition.

The light thrown upon the theory of government by the opinion of the Court in that case, will guide us in this enquiry.

Constitutions are but the frame of social organization ; they define the objects of government, and establish the great powers which people intend to be permanent. But the establishment of the subordinate powers, which it is expedient to alter, modify or change, according to the varying necessities of each epoch, as well as the best means of carrying into effect, at different times, many of the permanent powers established, are left to the wisdom and discretion of the legislative department.

The institutions which provide for the police of neighborhoods, for facilities of transportation and of trade, and for the local government of towns, are instances of the exercise of one class of those subsidiary powers by the Legislature. The paternal power, the marital power, the power of the master over the apprentice or the slave, may be viewed as instances of another class. These institutions and many others are essential to the preservation of the rights of life, liberty and property, for which constitutions purport to be established ; and the legislative enactments by which they are created and brought into action, constitute a part of those laws for the preservation of public order, from the force and obligation of which, individuals cannot derogate by their con-

ventions.—L. C. Art. 11. 'The institution of town or corporations for government purposes, is as ancient as civilization itself. "De quelque manière qu'un Etat ait eu son origine et qu'on ait commencé de bâtir des villes, says Domat, ceux qui s'y sont assemblés n'ont pu le faire, qu'en s'unissant par une police qui réglât toutes les commodités publiques.—[Domat L.C. p. 106.]

But it is a remarkable fact, and one that belongs to the cause, that the people of Louisiana, in convention assembled, have twice considered the local government of this great metropolis as too important to be placed among those subordinate institutions, and have recognized the city of New Orleans, in its corporate capacity, as entitled to peculiar political powers and privileges. The right of the citizens of the city of New Orleans to appoint the several public officers necessary for the administration of the police of the said city, pursuant to the mode of election which shall be prescribed by the Legislature, and the right of the officers thus appointed, to be commissioned as Justices of the Peace, and to exercise such criminal jurisdiction for the punishment of minor crimes and offences, as the Legislature may vest in them, are secured and rendered permanent, by Art. 128, of the State Constitution.—Those political franchises stand upon the same ground as any other constitutional power, and the city of New Orleans and its officers, are for purposes of police and good order, and for the punishment of minor crimes and offences, permanent functionaries of government. The counsel for the plaintiff derides the idea that the defendants are invested with sovereign powers; names cannot alter things under our form of polity, no department of the government exercises the powers of sovereignty in its own right.

The constitutional powers of the State are all trusts. The powers of the Legislature, of this Court, and of the city of New Orleans, differ in degree and object, but they all derive their binding force from the supreme law of the State. The only difference in relation to them is, that the Legislature cannot change or modify the organization of the Supreme Court or its own, and that it may change or modify the Charter of the city; the provision in the constitution going no farther than to recognize as permanent:

- 1st. Its corporate organization.
- 2d. The right of the citizens thereof to elect the officers of the Corporation.
- 3d. The right of those officers to be commissioned as Justices of

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the Peace, and to exercise the criminal jurisdiction already adverted to.

It has been argued that the defendants are not a civil or political corporation under the definition given by the civil code: we have already shown that the constitution vests them with that character. The definition relied on from the English side of one of the articles of the code, proves nothing but the ignorance of the person who translated it from the French. Definitions are, at best, unsafe guides in the administration of justice; and their frequent recurrence in the Louisiana Code, is the greatest defect in that body of laws. In the case of *Ellis, vs. Prevost and others*, 13 L. R., the former Supreme Court said that the statutory provisions of the code were often at variance with the definitions it contains, and that in those cases, it was a sound rule of interpretation to consider the definitions as limited or modified by the clear intent of the positive enactments. This case shows the necessity of the rule.

The city of New Orleans is a public corporation, clothed by the Constitution with many important powers of government; and, as revenue is the essential engine by which the means of answering its exigencies must be procured, the power of procuring that article in its full extent, must necessarily be comprehended in that of providing for those exigencies.

Money is with propriety considered as the vital principle of the body politic; as that which sustains its life and motion, and enables it to perform its most essential functions. A complete power, therefore, to procure a regular and adequate supply of revenue, as far the resources of the community will permit, may be regarded as an indispensable ingredient in every Constitution."—Federalist, p. 112 and 117, ed 1845.

Under this view of the subject, the Legislature, carrying out the intention of the framers of the Constitution has enabled the defendants to procure a permanent and regular supply of money by taxation. This power to tax must, therefore, be considered as if derived from the Constitution.

The counsel for the plaintiff argues that this is immaterial; that the State itself may be sued in the United States Courts, and, if condemned, is liable to execution; that the Marshal in executing the judgment, has the right to seize in the hand of individuals, the amounts due by them for State taxes.

We were not prepared to hear such an argument seriously urged this bar. If the fact upon which it rests was true, it would be a

sufficient answer, that the finances of a State form no part of its public domain. Taxes and national subsidies of all kinds, do not originate in the right of property; they are all essentially attached to sovereignty, and cannot be separated from public power; they form no part of the eminent domain of the sovereign. 3 Toullier, p. 17.

“L’empire, qui est le partage du souverain, ne renferme aucune idée de domaine proprement dit. Il consiste uniquement dans la puissance de gouverner. Il ne donne à l’Etat sur les biens des citoyens que le droit de régler l’usage de ces biens, le pouvoir de disposer de ces biens, pour des objets d’utilité publique, et la faculté de lever des impôts sur les mêmes biens, différents droits réunis, forment ce que Grotius, Puffendorf et autres appellent *le eminent du souverain*, mots dont le vrai sens, développé par ces auteurs, ne suppose aucun droit de propriété, et n’est relatif qu’à des prérogatives inséparables de la puissance publique.

“Nous convenons que l’Etat ne pourrait subsister, s’il n’avait les moyens de pourvoir aux frais de son gouvernement; mais en se procurant ces moyens par la levée des subsides le souverain *n’exerce point un droit de propriété*; il n’exerce qu’un simple pouvoir d’administration.—[Portalis, Exposé des Motifs, in Locre Legcir, vol. 8 p. 153, 155.

The taxes of the State are inherent to its sovereignty, and never can be seized.

Another counsel has argued, that admitting that the State taxes are not liable to seizure, it is otherwise with respect to those imposed by the Municipalities of this City. But the reasons alleged in support of the distinction, have failed to convince us. There is no difference in the nature of the two taxes.

“Public order and the common good of a State, require two kinds of expenses. The first is that which concerns the whole State, and the second, the expenses necessary for the police and good government of Cities. It is for those two kind of expenses, that there are two kinds of *public contributions*. The first is imposed and collected by the sovereign and its officers; the second by officers of town corporations.” [Domat 2 pt, 5 tit. sec. 1, No. 5.

Domat makes no distinction between the two; and, as the taxing power of the Municipalities is derived from as high an authority as that of the corporations of which he speaks, no distinction can be made here.

It must be conceded, that the right of the Municipalities to impose

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and collect taxes, is not derived from any right of ownership in the property taxed. If their title to the taxes does not originate in private right, it must necessarily be deduced from *public power*; and, being so deduced, the taxes are a constituent part and a necessary ingredient of that power, no more liable to seizure than the whole power itself would be.

Art, 647 C. P., in authorizing the seizure of sums of money due the judgment debtor, in *whatsoever right*, must be understood as having exclusive reference to that class of rights defined and protected by the Constitution as rights of property. *The taxes imposed for the protection of those rights*, form no part of them. Any other interpretation of that article would be destructive of public order, and inconsistent with the very idea of government.

The principle, that under the American Constitutions, no power or individual possesses directly or indirectly such an overruling influence over other powers, as would enable it to stop their functions, and thus to disorganize the government, is an axiom, a self-evident proposition. [Federalist p. 199.]

In the case of *McCulloch vs the States of Maryland*, already cited, the Court held that the power to tax, involves the power to destroy; that the power to destroy may defeat and render useless the power to create, and that there would be a plain repugnance in conferring on one government a power to control the Constitutional measures of another.

We have nothing to do with the question, whether the establishment of a bank was a Constitutional measure; but, taking the facts as stated by the Court, their argument is unanswerable, and, by parity of reasoning, it is equally true, that the power to seize the tax in this case, involves the power to destroy the corporation; that the power to destroy the corporation, may defeat and render useless the power to establish it, and that there would have been a plain repugnance in conferring on any individual the right to arrest or impede the action of a constitutional power in the function of government.

The power to create the Corporation of the City of New Orleans, for purposes of local government, involves the power to preserve and protect it; but that protection would be unavailing, if it could be deprived of the regular supply of means, without which it cannot work its task. For all useful and practical purposes, the exercise of the right claimed would, in the present embarrassed condition of the Municipalities, as effectually abrogate their charters as if they had been

repealed by law. We conceive such a state of things to be repugnant to the letter and spirit of the Constitution.

It is urged, that the defendants cannot avail themselves of the privileges of public power, because they may be sued, and that suing them would be doing a vain thing, if, in default of any other property, their taxes cannot be seized under the judgments obtained against them. We all know that judges and governors may also be sued, notwithstanding the political powers they exercise, and although their salaries may be their only means of paying their debts, those salaries are not liable to seizure. It is true, that out of superabundant caution, our codes make special provision in relation to salaries of office, but the same rule prevailed before upon general principles.

The taxes in this case were seized in the hands of the corporators, after their assessment, and before their collection. The attributes of the taxing power, as may be seen in every English statute on the subject of taxation, are, the imposing, levying, collecting, receiving, and taking of the tax. The *collecting* and *receiving* are as much parts of that power, as the *levying and imposing*. The power would be precarious otherwise; and, as the plaintiff admits that he had no power to impose and levy the tax, it necessarily follows that he could not lawfully *collect* and *receive* it; so that, if even the tax was liable to seizure, it could only be seized in the coffers of the Treasurer after its collection. But, to put an end to litigation on this important subject, we have thought it best to give our opinion on the whole issue submitted to us, and to state at large the reasons on which it is founded.

It is contended, that if the Municipalities cannot pay their just debts, they ought to be broken up, and their powers entrusted to safer hands. Whether it be an ascertained fact, that those corporations, as at present organized, cannot be safely trusted with power or with money, is a question we are not competent to determine. But it is very evident that the Convention, assembled last year, thought otherwise. The acts of the Municipalities, and their indebtedness, were known to them; and, with that knowledge, the Convention made no change in their organization, and gave their officers additional political powers.

There is no warrant of law to justify the seizure in this case, and, as none existed at the time the debt sued upon was contracted, the credit given to the defendants could not have rested upon the belief that their taxes were liable in execution.

It is not without much reflection that we have been able to concur in the decree about to be rendered in this case. On the first view of

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this question, there is something very repugnant to the moral sense in the idea that a municipal corporation should contract debts, and that having no resources but the taxes which are due to it, these should not be subjected by legal process to the satisfaction of its creditors. This consideration, deduced from the principles of moral duty, has only given way to the more enlarged contemplation of the great and paramount interests of public order and the principles of government.

Although the enforcement of payment may now be beyond the power of the judiciary, the subject will no doubt be deemed worthy of occupying the wisdom and sense of justice of the Legislature.

For the reasons assigned, it is therefore ordered, adjudged, and decreed, that the judgment of the Court below be affirmed, with costs in both Courts.

II. THE RIGHTS OF CREDITORS AS AFFECTED BY ASSIGNMENT OF THE DEBTORS' PROPERTY.

This was the case of *RICHARDSON & WATSON VS J. W. & R. LEAVETT*, etc in appeal from the 1st. Judicial District Court. Opinion read by EUSTIS C. J. Supreme Court 14th. December, 1846.

This case arise from the conflicting claims of the plaintiffs, who are attaching creditors, and the intervenors who assert their right to the property attached by virtue of an assignment made in their favour by the defendants in trust for certain creditors.

The assignment was made in New York where all the parties reside and the debt on which the attachment was issued, contracted and payable in New York.

The property included in the assignment and sought to be attached by the plaintiffs was personal and found within the jurisdiction of the Court, and before the attachment was served on the garnishees, was delivered to the assignees by the effect of the notice of the assignment, which had been previously served on the garnishees.

The debts for the payment of which the assignment provided are not contested, nor is any question raised as to the validity or effect of the assignment under the laws of New York, which are in evidence.

It is contended in argument by the Counsel for the plaintiffs that the assignment is fraudulent under our laws and consequently can pass no title to the property attached to the parties intervening, and the ques-

tion has been argued whether the validity of the assignment is to be tested by the laws of Louisiana or of New York.

The assignment is valid under the laws of New York ; it is a contract perfectly lawful between the parties and the consideration is neither inadequate nor immoral under these laws, and there is no part of it to which the tribunals of that State would not give effect.

It will be observed that this is not a case in which we are called upon to give effect to foreign laws, but on the ground of the exclusive operation of the laws of Louisiana on the property within its jurisdiction, to invalidate or annul a contract, which has been executed by the delivery of the property which is the subject of the contract, and which is in all respects lawful and valid by the laws of the domicile of all the parties.

By our laws the debtor is bound to fulfil his engagement out of all his property, moveable and immoveable, present and future, and the property of the debtor is the common pledge of his creditors. Every creditor has an action to annul any contract made in *fraud* of his rights. But he has no action to annul contracts *not* made in fraud of his rights. The violation of the common pledge, by the undue preference given to the creditors for whose benefit the assignment is made, is the ground on which the plaintiffs base the invalidity of the assignment.

But by the laws of New York no such pledge exists and the debtor is permitted to make any preference by payment in favor of some creditors to the detriment of others.

The law of New York is the law of the contract between the plaintiffs and defendants. Under the law of Louisiana the plaintiffs have no action against the assignees—who are in possession under a legal transfer of property which was subject to no pledge and which the defendants were permitted to dispose of in favor of any creditors they might select.

To extend the laws of Louisiana to the contract made between these parties in New York would be to give an extra-territorial application to them unwarranted by any consideration.

The personal property attached is not the less subject to our laws on account of this view of the case, but a case is before us in which *ex ratione materiae* the plaintiffs have no claim on the property assigned to intervenors.

The very basis of such an action is wanting. We consider therefore that plaintiffs have no right to hold subject to the payment of their debt the property assigned and delivered to the intervenors.

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It is argued that the assignment cannot be enforced here, because it is against public policy and is contrary to good morals. Both the reasons of policy and of morals, rest upon the principles of the common pledge of the property of the debtor to his creditors, which we have before stated and the inhibitions of its violation by preferences given to one creditor over others. Where there is no pledge these reasons cease to exist and there can be no complaint where there is no injury.

It is also said, that the giving effect to assignments of this character may conflict seriously with the rights of our citizens. It will not escape remark that we also confine the decision in this case to the state of facts presented by it, and we wish it to be understood as so limited. Cases presenting different facts will be determined as they shall be before us. But we must add that the operation of the laws of States to contracts in them, is sanctioned by the highest authority and may be considered as settled and that the rights acquired and disabilities incurred under contracts are entirely unaffected by the fact of citizenship,—*McCracken, vs. Hayward, 2 Howard, 612.*

The enquiry in this case is as to the *right* of the plaintiffs—the law of Louisiana cannot have any reasonable application to their contract made in New York, and there to be executed with the defendants, merchants in that metropolis. The accidental presence of a portion of their personal property which in the course of their trade found its way into Louisiana, cannot be considered as giving the plaintiffs the rights in relation to it, which a debtor would have upon the estate of his debtor, under the laws and jurisdiction of the State.

Cessante ratione cessat et ipsa lex.

The conclusion to which we have come, is in conformity with the uniform course of decision in this State.

The case of *Beirne and Burnside, vs. Patten, 17 L. R. 589*, was decided in relation to the rights of the plaintiffs, who were citizens of this State under contracts made and to be executed in New Orleans.

The judgment appealed from, is therefore reversed, and the plaintiffs' petition dismissed with costs in both Courts.

ART. VI. DRAINAGE.

Superabundant moisture in the earth is known to be most deleterious in its effects on the growth of vegetation. The causes of this superabundance have been stated by Mr. Thaër, in his *Principles of Agriculture*, to be :

1st. From rain-water and other moisture, deposited on a spot where, from the retentive nature of the materials of which the surface is composed, and the strata on which it rests, this influence cannot penetrate deeper, or flow onward.

2nd. From water which flows from higher grounds, and which is retained on the surface of the soil by inequalities or elevations which force it to remain in that place until it evaporates.

3rd. From water which flows from elevated regions, and descends for a considerable distance among the porous substances between the different strata of clay before it shows itself, or breaks out on the surface of the ground, beneath which it often forms actual springs, which have no means of escaping.

4th. From water courses, which occasionally or permanently cover the surrounding land with water, either by overflowing it, or gradually trickling over and saturating it, or which, by the elevation of their bed and of their general surface, prevent that moisture which descends from the heights, and is collected from the plains, from draining away and escaping.

There is an immense territory in Louisiana exposed to the operation of each or all of these causes, and there is, perhaps, no other country where the proper drainage of land is of more importance. We have conversed with many intelligent planters, who dwell with enthusiasm upon the benefits resulting even now from the improved system in use ; and the belief seems to be very general, that the improvement in this respect has only been begun. Millions of acres of land will, by this means, be reclaimed, which are now waste, and be made most productive, and lands now in cultivation be improved to a surprising extent.

Many of our planters have introduced draining machines upon their estates at considerable cost, and of great power. There are others, who are now preparing to follow the example ; and it is likely that, before long, there will be few estates without them. We are assured that

whatever the cost may be it will be more than amply repaid by the increased yield of the drained soil. De Paluel, a distinguished French agriculturalist, remarked upon the success of his extensive drainage: "There is, however, one rule from which I never depart—that of conducting all my operations and undertakings on a liberal scale, and never suffering any false notions of economy to mar the whole. The soil amply repays the capital that is bestowed upon it, provided that it is skillfully and judiciously bestowed. But those who act parsimoniously, and grudge every farthing, can never expect to derive any great profits. The enterprising alone will find their labors crowned with success. This observation relates particularly to draining." *

* Dr. Buckland in a lecture delivered lately in England, makes the following judicious reflections upon DRAINING. We are indebted for a report of them to that valuable work the *FARMER'S LIBRARY*, Edited and published in New York by John S. Skinner, Esq.

The learned Professor then referred to the important operation of draining as the foundation of all good farming. It was useless to put tons of manure on land that was not dry; in that case it would only float upon the surface, for wet clay would not allow it to go down—it was almost entirely thrown away. Draining rendered the land penetrable by water, and enabled the rain to descend freely through it, carrying to the roots those fertilizing elements of carbonic acid and ammonia with which rain-water was always charged. Carbonic acid was continually supplied to the air from chimneys, and from putrefying animal and vegetable substances, also from the breath expired from the lungs of animals, and a hundred other sources; it floated in the atmosphere in a gaseous form, and was brought down again by rain. Falling upon drained land, this rain penetrated its surface, and, as he had just said, carried with it to the roots of plants, two of their great elements of fertility.

It was the landed proprietors' and the farmers' incumbent duty to increase the fertility of the soil, because it was the soil alone afforded the food which it was our business to provide for ourselves and families. Fifty years ago, Parliament had given a premium for draining to Mr. Elkington; and his system, where it was applicable, had answered the required purpose; but it was not applicable so generally as newer systems, for the publication of which the country was mainly indebted to Mr. Smith, of Deanston. He remembered, when returning from Scotland after visiting Mr. Smith's farm at Deanston four years ago, being taken by Sir Robert Peel into a field of his near Tamworth, which was almost swamped with water, and nearly unproductive. He advised Sir Robert to drain it after the manner of Mr. Smith, which he forthwith did, and the result was in the very first year a splendid crop of turnips, and the second year a crop of barley so luxuriant that the stalks could not support the ears, and fell prostrate to the ground. The expenses were repaid in two years, and this worthless field was a most profitable piece of land. The Rev. Doctor then mentioned another instance of the effect of drainage near Wolverhampton in Staffordshire, by Lord Hacherton. His Lordship had reclaimed a wild tract of 1,500 acres adjoining Cannock Chase, on hills higher than those in East Devon, and had increased its value from 5s. to 25s. per acre. After impressing thus forcibly the importance of draining, as the first step in agricultural improvement, the learned Professor proceeded to remark on the application of manures.

Draining machines have been constructed and used, of almost every variety, from the most simple to the most complete. To quote again from Thaër: "The greater part of those machines are worked by means of sails similar to those of a wind mill. The inhabitants of Holland have surpassed those of all other countries in inventions of this nature. The most essential quality of this kind of machine consists in its requiring no other agent than wind to put it in motion, and being constructed in such a manner, as not easily to admit of its being injured or put out of order. Should such not be the case, it will be liable to become unfit for use at the very moment when most required. On this account, those which require great motive power, are very complicated, and containing a great deal of iron-work, are always exceedingly troublesome. The '*drawing wheel*' the *throwing wheel*, and '*Archimedes' screw*,' are, when well constructed, fully capable of effecting the purpose for which they are designed; but the '*hydraulic ram*,' a newly invented instrument, is only adapted to particular situations. The '*Montgolfier*' machine, which has latterly so greatly attracted the attention of mathematicians and natural philosophers, is wholly inefficacious. Latterly, steam engines have been made use of for this purpose, with great success; but it must be admitted, that they are very expensive.

The question is of some importance, which of these constructions will be found best adapted to Louisiana, most economical, and produce the greatest results in its agriculture.

At the meeting of the British Society for the encouragement of arts, manufactures, etc., held several years ago, Joseph Glynn, Esq., read a paper upon the *application of steam power to the draining of fens*, which was awarded by a unanimous vote of the Society a gold medal. The paper was published among the archives of the Society, and is of such deep interest that we regard its publication in our journal as an act of public service. Our attention was more particularly called to it by our fellow citizen, Maunsel White, Esq., a gentleman favorably known throughout the State. We should be glad to make our review the vehicle of communicating all practical information, which may be elicited from time to time upon the subject.

"Although much has been done in the fen countries to improve the outfalls of their rivers, and to promote as much as possible the action of natural drainage, yet many districts are so situated, that without the aid of mechanical power, they must still have remained little better than waste swamps, affording only a precarious summer pasturage for cattle.

The introduction of the wind-engine, or Dutch mill, was therefore of great utility, as their use enabled the fen farmers to throw off a large portion of the water; and, by raising the banks round their districts, they kept them so far dry, that in favourable seasons they reaped abundant harvests, the great fertility of the soil returning them large crops of wheat when brought into tillage.

But here the farmer was subject to great risks. Often, when his crops were almost ready for the sickle, he had the mortification to see the rain fall in torrents when there was not a breath of wind to turn his mills, which stood motionless with their sails spread to catch the vainly expected breeze, whilst the produce of his fields perish on the ground.

The aid of the steam-engine is, therefore, invaluable in the fens and the extent and fertility of these lands, when properly drained and cultivated, render them an object of almost national importance. The fen districts in the Bedford level alone amount to nearly 300,000 acres. and the whole of the fen and marsh lands in England is, perhaps, not less than 800,000 acres.

In one of the districts where I was employed, I found the rich black earth formed of decomposed vegetable matter, to be upwards of thirty feet in depth.

Few persons, I believe, are aware how small a quantity of mechanical power is sufficient to drain a large tract of fen land. Generally speaking, there are no natural springs; and when the upland waters are banked out and carried into the rivers by catch-water drains, we have to lift that water alone which falls from the clouds. The quantity of rain which descends on the flat eastern counties of England, is less than in any other part of the island, seldom exceeding 26 inches in the year, whilst in the hilly western counties of Lancaster and Westmoreland it often amounts to 54 inches in depth. It would seem almost like an arrangement made by Providence to place the cultivation of these rich lands within the compass of our ability.

In many months the evaporation is greater than the downfall, and it then becomes necessary to open the sluices, and let in water from the rivers to moisten the earth, and to supply the cattle, which, when steam-engines are used, may be done without fear.

If the wind-engines could be depended upon, they might be rendered sufficient for the purposes of artificial drainage; but it unfortunately happens, that when there is most rain, there is generally least wind, and the mills are useless when all depends upon them. The steam-

engine ensures certainty; it is ready to act whenever it may be wanted; and the first cost, and subsequent maintenance of one powerful steam-engine, is less than the expense of building, repair, and attendance on a great number of wind-mills. In one large district where I was employed, named Deeping Pennear Spalding, and now drained most effectually by two steam-engines, there were forty-four wind-mills for lifting the water.

I would here remark, that I do not claim the merit of having originated the idea of employing the steam-engine in the drainage of land. It did not escape the great mind of Smeaton, who gave it as his opinion, that it would one day become a powerful agent in the improvement of the fens; and subsequently his pupil and successor, the late Mr. William Jessop, I believe on one occasion, unsuccessfully recommended its adoption. Afterwards, the late Mr. John Reunie endeavoured to introduce steam-engines into the fens, but he could only prevail on the proprietors of one district, to erect a small steam-engine in aid of their wind-mills, consequently it had not a fair trial, and here the matter rested for many years.

I am happy, however, in that I have been able to realize what these great men had imagined; and in so doing, I have not only caused "two blades of grass to grow where but one grew before," but I have had the pleasure to see abundant crops of wheat, take the place of the sedge and the bulrush. I have been fortunate, in that I have been permitted to a greater extent than I could possibly have anticipated, and whilst I confess myself ambitious of obtaining some mark of the Society's approbation, I trust that, through the means of their widely circulated transactions, the knowledge of these things may be further extended, not only in England, but on the Continent; and that when it is known by what comparatively small means the swamp or marsh, exhaling malaria, disease, and death, may be converted into fruitful corn-fields and verdant pastures, the blessings of health and abundance may be still more widely spread. I beg to apologize to the Faculty for this digression, which has led me away from the practical part of my subject.

In most cases it is not requisite to raise the water more than three or four feet higher than the surface of the land intended to be drained; and even this is only necessary when the rivers into which it is delivered, are full between their banks, from a continuance of wet weather, or from upland floods.

In some instances the height of water in these rivers is affected by the tides, etc. Rivers are affected by the tides, so that drainage by na-

tural outfall can only take place during the ebb; in others, the rivers, uninfluenced by the tides, form the means of drainage, but have not fall or descent sufficient during heavy rains to carry off the water.

In all these cases I have erected steam-engines for draining marsh land with complete success, and the plans which accompany this paper will explain their application.

I have stated, that the quantity of rain fallen in the fens on the eastern side of the island seldom exceeds 26 inches in the year; and that it is with the rain alone we have to contend, the upland waters being banked out, and there being no springs in the fen. If there be rising ground within the district, or uplands adjoining, whose waters cannot be banked out, the surface of such lands must be taken account of in our calculation as if they formed a part of the district.

If we suppose that in any one month there fall 3 inches depth of rain, of which 1 inch is absorbed and evaporated, we have 1 1-2 cubic feet to every square yard of land; and this multiplied by 4,840 (the number of square yards in an acre,) gives 7,260 cubic feet of water to the acre.

I have found it expedient in practice, to keep the water in the drains within the district, about 18 inches below the surface of the cultivated land; and if we must raise it 3 1-2 feet higher than the surface, which happens very generally to be the case, especially when the water is high in the rivers, our lift between the surface of water in the drains and that of the outfall river will be 5 feet. I have generally caused the principal or main drains to be cut 7 1-2 feet deep, and of width to give them sufficient capacity to contain the rain water as it falls, and to bring it down to the engine, keeping it in full work within a descent or declivity of from 1 1-2 to 3 inches in a mile.

I have always used scoop-wheels, the float-boards of which dip 5 feet below the water's surface where powerful engines are used, or 6 1-2 feet below the land in the level of the fen.

The main drains, then, are 1 foot deeper than the wheel track, which allows for the deposition of mud and weeds, and facilitates the flow of water to the wheel. Such a wheel, in technical language, will be said to have 10 feet head and dip.

These scoop wheels I have made of cast iron, with wooden float-boards, like the undershot wheel of a water-mill; but instead of being turned by the impulse of the water, they are used to lift it, and are kept in motion by steam power.

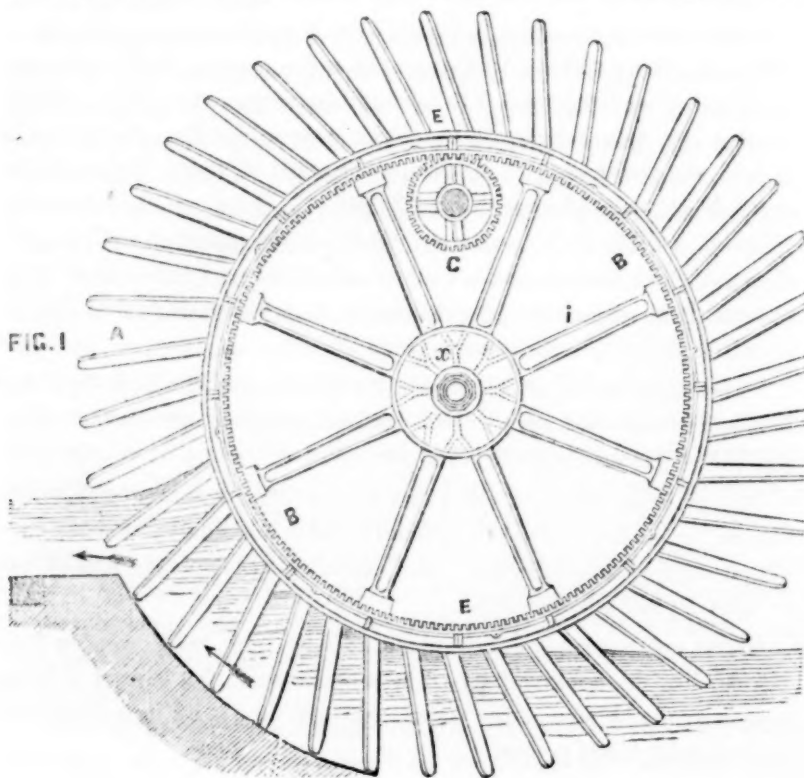
The details of the construction of these wheels are shown in the engraving,

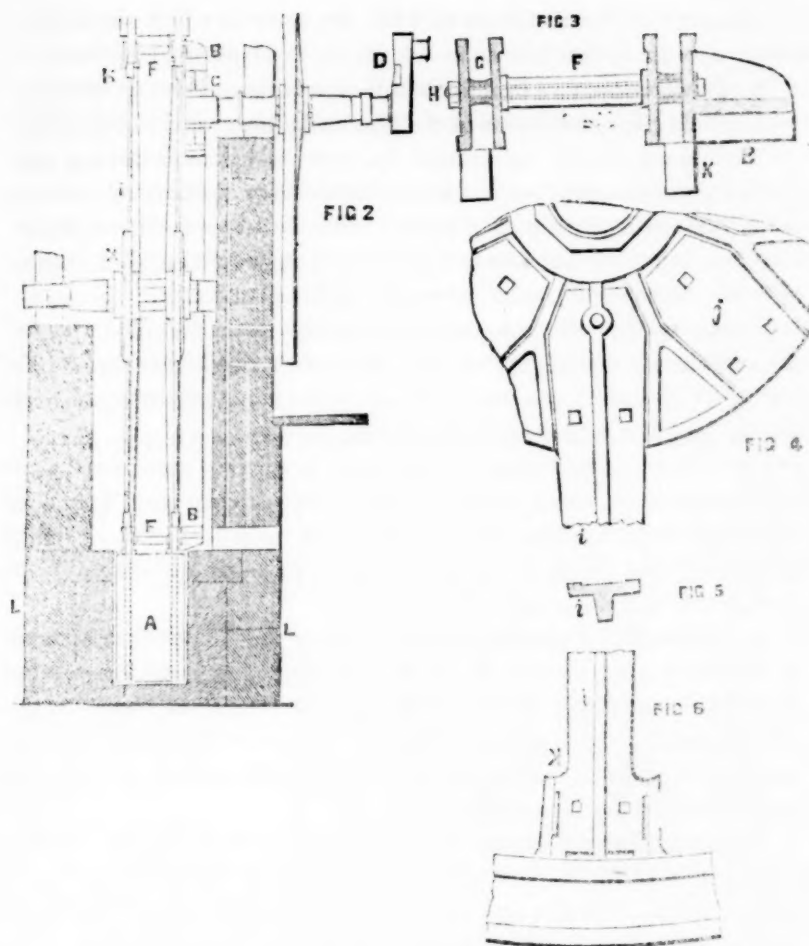
Fig. 1. Is a side view of the scop-wheel.

Fig. 2. Is a front sectional view of the same, showing only the top and bottom paddle-boards and pairs of arms, and one top and bottom tooth.

A A The paddle-boards each fastened to its pair of arms; *B B* the ring of internal teeth, which are engaged by the toothed wheel *C*, having on its axes a fly wheel and a crank *D*, by the latter of which it is connected with the prime mover.

The wheel is composed of 2 pair of rings, an outer and inner in each pair, one of the latter of which is the ring of teeth *b. b.*, already mentioned. Each ring is cast in eight segments, which are joined as shown, *E E*, fig. 1. These four rings are kept in their proper places by several setts of hollow pillars, each sett consisting of one long and two short ones, as *f* and *g g*, fig. 3; one long screw-bolt *H*, passes through the three pillars, and also through corresponding holes in the four rings, and thus





binds the whole firmly together. Each pair of wings is connected with the common axis by a set of arms or spokes, *i i*, etc., fig. 1 the converging ends of which are secured in a circular flanch, *x x* fixed on the axis.

The form of the recesses in the flanch into which the ends of the two arms are fitted, is shown in fig. 4, where *j j*, are two such recesses, and *i* is an arm in its place, and made fast by three bolts. Fig. 5, is a cross section of an arm. Fig. 6, shows the outer end of one arm, and part of a ring: it is fitted into a recess or box, *k*, which projects from the rim, and is secured by two bolts. These latter are cast with the two outer rings, as shown in the transverse section, fig. 3, *B*; in the same figure, is one tooth of the ring of teeth, fig. 1. The close fitting of

the masonry that forms the channel for the water in which the paddle-boards *a* work, is shown in cross *ll*, fig. 1, in longitudinal section.

The float-boards move in a track or trough of hewn stone or masonry, worked to fit them, as shown in the figure, the lower end of this wheel track being open to the main drain, the upper end communicating with the river, which is kept out when the wheel ceases working by pointing doors, like the lock-gates of a canal. The float-boards do not radiate from the centre of the wheel, but form an angle of forty-five degrees with the horizon at the point where they deliver the water.

The diameter of the scoop-wheel should be such, that the surface of the water in the outfall drain or river may never rise higher than within four or five feet of its axis, otherwise the water might pass over the float-boards, and flow back again into the fen.

I have found about six feet in a second to be the best speed for the circumference of the wheel, as that velocity gives sufficient centrifugal force to hold the water up against the "breast" of the wheel track or trough of masonry, and yet not so much as to cause its being carried up by the float-boards past the point of delivery.

As engineers, by common consent, make a horse's power to be equal to 33,000 lbs. raised one foot high in a minute, or 3,300 lbs. ten feet high in the same time, consequently, as a cubic foot of water weighs 62 1-2 pounds, and a gallon of water 10 lbs., a horse's power will raise and discharge from the fen, at ten feet high, 330 gallons, or 52 8-100 cubic feet of water in a minute.

Now a good steam-engine applied to work a scoop-wheel will consume about 10 lbs. of Newcastle coals in the hour for each horse's power, and in that time lifts and discharges 3,168 cubic feet, or 19,800 gallons of water (at a height of 10 feet) per horse's power per hour.

I have taken the quantity of rain which may fall in excess on an acre of fen-land in a month to be 7,260 cubic feet, which one horse's power will raise and discharge in (2 32-100 hours) about 2 hours and 20 minutes.

Suppose, therefore, we wish to drain 1,000 acres of fen or marsh land, and that the upland waters are banked out; we have an excess of rain equal to 8,260,000 cubic feet to raise and get rid of.

A good steam-engine of 10 horses' power will do this in 232 hours, or less than 20 days, working 12 hours per day, and I have found these calculations fully supported in practice. It is true, that the rain due to any given month may fall in a few days, but in that case the ground absorbs a good deal of it, and I have before observed that the drains must have capacity enough to receive and contain the rain as it falls; besides, in

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case of need, the steam-engine may be made to work 20 hours per day instead of 12. It is also true that, as the dip of the wheel lessens, the quantity of water discharged is diminished; but then the district is perfectly safe, for the upper edges of the float-boards are 18 inches below the level of the land.

In order to show what has been done in actual practice, I here beg leave to submit the results of an experiment made with one of the engines of eighty horses' power, which I have erected at Pote Hole, in Deeping Fen, near Spalding, Lincolnshire. The quantity of water thrown being ascertained by the contents of a portion of the main drain, partitioned off for the purpose by dams, properly planked and secured by puddling of clay.

Results of an Experiment made with the Eighty-Horse Engine at Pote Hole, on the 18th of June, 1830.

Time the Engine was worked.	Coal burnt.	Mean Lift at which the Engine worked.		Mean Dip of the Wheel.		Weight of Water raised per Hour.
		Ft.	In.	Ft.	In.	
1st hour's trial, ----	12½	6	7½	3	4	9,840
2d ditto ditto, ----	12	6	10	2	10	8,520
3d ditto ditto, ----	11½	7	2	2	6	7,560
4th ditto ditto, ----	11	7	5	2	2	6,660
5th ditto ditto, ----	10	7	6	1	10	5,760
6th ditto ditto, ----	10	7	6	1	6	4,740
7th ditto ditto, ----	10	7	6	1	3	4,220
8th ditto ditto, ----	10	7	6	1	2	3,990
	87					51,230

The water-wheel is 23 feet in diameter, its float-boards are five and a half feet in depth by five feet wide, and they travel with a mean velocity of six feet in a second. The section of the stream delivered, when the engine has its full dip, is therefore, twenty-seven and a half square feet, and the quantity discharged is 165 cubic feet, equal to more than 4½ tons in one second, or about sixteen thousand two hundred tons of water in one hour.

It will be observed, that the float-boards had only 3 feet 4 inches dip, instead of 5 feet 6 inches dip, at the commencement of the experiment, or, in proportion to the full dip, as 20 to 23, or as 9,840 tons, the quantity lifted in the first hour, are 16 to 220 tons; so that the trial proves the correctness of the calculation.

It will also be remarked, that had the wheel been working with a full dip, "the head," that is, the lift from surface to surface of the water, would have been only 4 feet 6 inches, instead of 6 feet $7\frac{1}{2}$ inches. At the end of the eighth hour the enclosed portion of the main drain, which was $6\frac{1}{2}$ miles in length, and averaged at the water's surface $34\frac{1}{2}$ feet in width, being so far emptied of its contents that the float-boards of the scoop-wheel dipped only 14 inches in the water, it was useless to continue working the engine.

The fuel used for this trial, was Yorkshire coal, of which the average consumption was about $10\frac{1}{2}$ lbs. per horse power per hour. From 8 to 9 lbs. of Newcastle coal would, with this engine, be found to do the same quantity of work.

I have drained two districts of fen-land, near March, in Cambridge-shire, where the engine's power bears about the proportion of 10 horses power to 1,000 acres of land, and the water can always be kept down to any given distance below the roots of the plants. If the rain fall in excess, the water is thrown off by the engine; and if dry weather prevail, they can open the sluices without risk, and let the water flow in from the river, to fill the drains and moisten the earth.

The engines work about four months out of the twelve, at intervals varying of course with the season. Where the districts are tolerably large, and the drainage effected by steam power, the annual expenses including all charges, will not exceed 2s. 6d. an acre. The first cost of the work varies, of course, in almost every district, from the nature of the substrata; but generally I have found that it amounted to about 20s. an acre for the requisite machinery and buildings: that is to say, an engine of 40 horses' power, with its scoop-wheel, machinery and buildings erected for the drainage of 4,000 acres of land, cost about 4000*l*. I have found this to be the case in four different districts.

Where the clay or other firm measures lie near the surface, so that we either can dig down to them, or drive short piles, I prefer the steam-engines in the form generally used in cotton-mills and other manufactories, and commonly called by workmen "factory engines;" but where it is necessary to drive long piles, and to plank and cross-plank over them so as to form an artificial foundation or platform to build upon, I prefer the "marine engines," that is to say, in the form usually adopted on board of steam-packets, which is more compact, requiring smaller and less expensive foundations. The districts wherein I have been employed are eleven in number; the quantity of land drained or improved

about 90,000 acres, and the steam power used is equal to 620 horses.

In many places, persons who were able to foresee the consequence of those improvements, and to avail themselves of them, have purchased land at from 10*l.* to 20*l.* per acre, which they may now sell at from 50*l.* to 70*l.* an acre, producing from four to six quarters of wheat to the acre.

Many of these gentlemen farm their own land; are commissioners, by qualification; they live in abundance on the produce of their fruitful soil, and their hospitality and kind attention I have every reason gratefully to acknowledge.

I will mention these districts in the order their works were undertaken, with the quantity of land and the power used in each case, and attempt an explanation of the drawing sent herewith.

Deeping, Fen, near Spalding, Lincolnshire, in 1825, containing about 25,000 acres, is effectually drained by two steam-engines of 60 and 80 horses power, the large one being made entirely under my superintendence at the Butterly Iron works; the 60 horse engine by Fenton Murray. The scoopwheels and machinery for both engines were entirely made and put together at Butterley, under my direction. The cast iron toothed wheels used were of necessity very strong, more so, indeed, than any I had seen, being 15 inches in width across the face of the wheel, and the pitch of the teeth, 5 inches.

March West Fen, adjoining the town of March, Cambridgeshire; in 1826, about 3,600 acres are completely drained by an engine of 40 horses' power, and it is contemplated to add about 400 or 500 acres to the district to be drained by the same engine.

Misterton Soss, with Everton and Grinley Cars, in 1829; comprising an extensive district between Bawtry and the river Trent, of about 6,000 acres, more than two thirds of which are marsh land, is effectually drained by a 40 horse power engine.

The engine is situate about three-quarters of a mile from the Trent, and the outfall drain from the engine to that river is contrived, during the rising tide, or when the Trent is flooded, to form a capacious reservoir, into which the engine throws the water until it acquires sufficient head to open the pointing doors at the Trent side, and discharge its contents into the river. This is done when the Trent is flooded; but in favorable seasons, the sluices by the side of the engine are raised, and the district is drained by natural outfall; the sluices are also in dry season to retain the water in the district.

1830, Littleport Fen, near Ely about 28,000 acres, drained by two steam-engines of 30 and 80 horses power, but with a few of the old wind

engines still retained. Before steam power was used, there were seventy-five wind-engines in this district; and often has the Fen Farmer in despair, watched their motionless arms, and earnestly hoped a breeze might spring up to catch their sails, whilst his fair fields gradually disappeared below the rising waters, and the district assumed the appearance of an immense lake.

The large engine was entirely constructed under my inspection, and built from my drawing, at the Butterly Works; the small one purchased by the commissioners, and I afterwards repaired and adapted it so as to make it available for their purpose.

As it was desirable that the large engine should be erected on the bank of the Hundred Foot, or New Bedford River, in which the tide rises considerable height, a scoop-wheel, of large size and great strength, was necessary, the head and dip being at times not less than 16 feet; but when the tide was out, the head was much diminished, and I therefore made two speeds, or combinations of wheel works; so that the scoop-wheel might revolve with greater velocity, and throw a larger quantity of water during the ebb, whilst the engines' full power and uniform speed were maintained at all times.

The foundation was naturally very bad, there being seven yards in depth of black peat above the clay.

To resist and to work against so great a head of water, I was compelled to take artificial means to make it secure, and, accordingly, I caused upwards of 600 strong piles to be driven firmly down into the clay. Having spiked the pile-heads, which were sawn off to a uniform level, stout cross sills of Memel-timber, the whole was planked over with 3 inch deals laid close together, and spiked down to form a complete floor under the whole of the buildings, so that if any settlement took place they might sink equally. The works, however, have stood as firm as a rock.

The scoop-wheel is 35 feet in diameter, and with its axis and the toothed wheel-work upon it, weighs 64 tons, to which, when in action, the weight of water upon it must be added.

The pinion on the engine-axis is 4 feet in diameter; it makes 13 revolutions per minute, and weighs 33 cwt.

When the tide is high, this pinion works into a wheel of 24 feet in diameter, having internal teeth; the float-board on the periphery of the scoop-wheel and discharges in that time 21,980 gallons. When the tide is low, the pinion, by the help of machinery, is made to slide into action with another wheel of 16 feet diameter, having external

teeth, and the float boards then move at the rate of 318 per minute, delivering 5,278 cubic feet, or 32,880 gallons of water in the same time.

Before these works were completed, many persons who professed to understand such matters predicted their total failure, and greatly alarmed the commissioners for the result; but their success in saving the district from being drowned, during a long continuance of heavy rain, which, without their aid, must have laid the whole of it under water, gave unquestionable evidence of their efficacy, the commissioners were pleased to make a public expression of their thanks for my services, conveyed in terms most flattering, and by printing their resolutions in the local papers, to induce other districts to follow their example.

Middle Fen, near Soham, Cambridgeshire, about five miles from Ely in 1832. About 7,000 acres are drained by a steam-engine 60 horses' power. The foundation was similar to that in the preceding district of Littleport, and the expense and difficulty encountered in that instance led me to adopt the marine engine here. My success in Littleport Fen led to this undertaking, several of the commissioners having estates in both districts, as also in the following.

Waterbeach Level, lying between Ely and Cambridge, containing about 5,600, was drained in the same year by a 60-horse power engine. The foundation here is a natural bed of concrete gravel, held together by an ochreous cement; a large patch of this was found at the very point where it was desirable to establish the works at an accessible depth from the surface, so that we could build upon it.

Magdalena Fen, near Lynn, Norfolk, in 1834, contains upwards of 4000 acres, and is completely drained by a 40 horse engine, under circumstances similar to the preceding; the water is discharged into the Eau Brink Cut.

March First district, or Bannimoore Fen, in Cambridgeshire, 1834. 2,700 acres of land are kept in the finest possible state of drainage by a 30 horse power steam engine; the water of about 300 acres of adjoining high ground drains into the fen. This is, perhaps, the most complete work of the kind in Cambridgeshire. It lies close by the town of March, and the commissioners were, therefore, desirous that the drainage should be perfect: as they instructed me to spare no pains to make it so, I trust their wish has been accomplished.

Feltwell Fen, near Brandon, Suffolk, about 2,400 acres, drained or improved by a 20 horse engine, now just completed.

Soham Mere, Cambridgeshire, formerly, as its name implies, a lake of 1,600 acres in extent, and about 300 or 400 acres of higher land, the waters of which cannot altogether be excluded. As the lift is great, it is requisite to employ a 40 horse-engine. These works are now constructing; they are in a forward state, and will soon be in operation, I trust with success.

I have exceeded the limits I at first proposed to myself, and, I fear, trespassed on your time; I therefore refer to the plans, which, I hope will further elucidate the subject, and respectfully submit them to the society.

ART. 7.—SKETCH OF A PUBLIC SCHOOL SYSTEM FOR A STATE.

Four classes of officers are necessary, as follows: First, a Superintendent of Public Instruction who should possess talent, industry, and a taste for schools and their object; if he be a practical teacher, all the better. Second, a Commissioner of Common Schools for each county; Third, three trustees of Public Schools for each township; and Fourth, two or three Inspectors for each School District.

The Superintendent ought to be appointed by the Legislature for a term of four or five years; because this officer, if of the right stamp, will have to act very cautiously for at least two years before he will have acquired that knowledge of his duties which will render him really efficient; and also for the further reason that he should not be subject to those fluctuations which are incident to changes in the predominance of one or another political party. He should be allowed a liberal salary, such as would enable and induce a gentleman of the requisite qualifications to devote all his time and attention to his public duties, and moreover, insure for his office that consideration and respect which is never accorded to one poorly paid. He would need an office to be kept at the seat of Government, and one clerk.

The State being districted, each district should choose by ballot its Inspectors for one year. Each township also, should choose its Trustees for one year, when and as, its constables and other town officers are chosen at a county convention to be held for the purpose; all the Trustees should meet and elect from their own body or otherwise, the "County Commissioners of Common Schools," for one or two years. All these officers *should be paid*, by some prescribed mode, a reasonable *per diem* allowance for the time actually devoted to the public business—because "all experience hath shown," that public services rendered gratuitously, are seldom efficient for their purpose—but when paid for, the public have a just claim for them; and, as a general rule

they will be both more cheerfully and better performed in the latter case, than in the former.

Under such a system it will be the duty of the people of the districts to select with due circumspection, and without reference to political opinions, the most capable and enlightened citizens for School Inspectors; and these should accept the office and perform its duties promptly and unfailing, more from a sense of public duty than any other motive. They should be required to visit and thoroughly inspect the School at least once each month, making themselves familiar with all the details of its management in all respects. On these occasions they should receive from the teacher a monthly report concerning the School, comprising certain tabular statements [hereafter designated] made in a prescribed form as indicated by a blank formula to be furnished by the State Board of Education. This report should embrace in a condensed form—1st. The attendance of each pupil, to be noted by the teacher within five minutes after the time proscribed for opening the School each morning in a roll book to be furnished by the board of Education, and so ruled off into weeks and days that it would indicate clearly the absence rather than the attendance of each pupil, on each and every day.—2d. A statement in an abstract and very laconic form, of the general deportment, diligence and progress in learning of each pupil. The register for this purpose should be noted every day at the close of the exercises, in a book ruled and headed for the purpose, to be furnished as above.

It should be the duty of the Township Trustees to make at least one visit quarterly to every School within their township, thus becoming acquainted with the Inspectors, the Teachers, and as far as possible with the Schools.—At the end of every third month, there should be a meeting of all the Inspectors with the Trustees of the town, to confer upon the interests of the Schools.—At these meetings the Inspectors of each School should hand in to the Trustees a quarterly report made up (according to instructions from the Board of Education) from the Teachers, monthly reports and their own observations and suggestions.

At the end of each half year, the Trustees of each township should transmit to the County Commissioner a report, made up from the reports of the District Inspectors, together with their own observations and suggestions in regard to the condition of the Schools and the working of the system, embracing also the names of all Teachers who have distinguished themselves meritoriously or otherwise.

The Commissioners should convene semi-annually at the seat of Government and constitute a "Board of Education," of which the Superintendent of Public Instruction should be *ex officio* President. At these conventions each County Commissioner should render to the Superintendent a report of the condition, etc., of the Schools of his county. An important part of the duties of this Board should be the examination of all candidates for the office of Teacher within the State.*

* In a larger State this duty would have to be performed by the respective Commissioners of Counties.

The sanction of this Board should also be necessary to the adoption of every School-book to be used in the Schools. The forms of all blank books for School rolls and registers—also the blank forms for reports of every description, that they may be uniform throughout the State, should be directed by this Board.

Among the various and responsible duties of superintendent of Public Instruction, not the least arduous would be that of visiting, at least once in each year, every county in the State, to inspect personally the working of the system. In these peregrinations he should omit no opportunity nor means for increasing his own information concerning the great subject of his care. He should lecture the people in public meetings, urging upon them the necessity of earnest attention to their schools, and renewed and untiring exertions in the great cause of Public Education. He should also revisit the schools and address the pupils; visit the teachers and as many as possible of the families, using his influence on all occasions for the benefit of the cause which he is employed to advocate and superintend. In short, he should be heartily and actively devoted to his duties, and should omit no fit opportunity to manifest that he is so. A suitable man in this situation would have a most beneficial and commanding influence.

The Superintendent should make annually a Report to the Legislature on the whole subject of public education once a year. It should, of course, be both historical and suggestive. Among other subjects, he should not omit to commend to the favorable notice of the public, all teachers who may have distinguished themselves by excellence of any kind in the practice of their profession. The same might be done, with great advantage to the cause of education, for any particular school or even individual pupil, which had been duly reported by the competent authorities as deserving of such distinction. Such "honorable mention" would, no doubt, operate as a strong incentive on both teachers and pupils to excel in the performance of their respective duties. Since skill and faithfulness on the part of teaching and *steady attendance* by the pupils, are two main points in the working of any school system, every means should be resorted to to secure them; and these should be indispensable prerequisites to public commendation.

A powerful stimulant to energy, faithfulness, and industry on the part of both teachers and pupils might be created by the institution in each county of public examinations and lectures to be held once or twice a year, particularly at the time of the annual visit of the Superintendent. These re-unions should terminate with a festival at which all the public functionaries and influential persons in the vicinity should make it a matter of *duty* to attend; and by addresses to the people, to the teachers, and to the pupils, attention should be aroused and a lively interest excited in regard to the great public cause. The good influences of such occasions, if judiciously managed, would be immense.

But after all, no system of public instruction can be made truly effective for the thorough education of the people, unless a steady and unremitting atten-

dance of the pupils *throughout the school year*, and year after year to a suitable age, can be secured; and also, unless such pecuniary inducements be held out to teachers as shall call into the profession a higher order of talent than has usually been deemed requisite. Is not the formation or development of the mental and moral man, so as to fit him for the high destiny of an American citizen, a work that requires talents of the best order? and be it remembered, that no necessary cost is too great for this object, when its intrinsic value is considered.

THE NEW ORLEANS CHAMBER OF COMMERCE.

In our last number we made a reflection upon this Chamber which subsequent thought and investigation has induced us to believe was not altogether deserved. The influence of the Chamber in commercial matters here has always been very considerable, and they have amicably determined many important cases which, in the comity of merchants, have been left to them for adjudication. Great loss of time has been experienced by the members in this manner, as we ourselves have reason to know.

What we said about a *Mercantile Association* loses, however, nothing of its weight. That the Chamber is such an association in a certain sense, we are ready to admit, but not altogether such a one as we had in our minds' eye when the remarks were made. We wish to see a society of merchants which shall meet frequently for the discussion of great questions of commercial polity which shall have its appropriate Hall, its comprehensive library, and occasionally its public lecture, illustrating some one or more of the great principles of commercial economy. Such associations there are in Europe, and if there be none of the kind in this country, no argument can be drawn hence that there should not be. We do not mean associations of young men preparing to be merchants, but merchants themselves. This is a duty they owe to their great interests and to the interests of their country.

We said that the New Orleans Chamber had pronounced upon some important cases. We furnish the last as an example of their labors:

JOHN CALHOUN vs. THE AGENCY OF THE NASHVILLE MARINE LIFE INSURANCE Co.—The parties in this case agreed to leave it to a special committee, consisting of the President, Vice Presidents of the Chamber, (S. J. PETERS, JAMES DICK, and W. L. HONGE,) and waiving the right of appeal.

The plaintiff insured \$3000 on goods per steamboat *Panama*, and \$2000 on the hull and machinery, valued at \$3000, for a voyage for Matamoros.

It appeared from the protest and evidence, that on the voyage she encountered heavy and blowing weather, and when off Aransas, broke her connecting steampipe by the working of the vessel in a heavy sea, which obliged them to anchor, the boat making much water; and all hands, assisted by the passengers, pumping and bailing; that not being able to obtain assistance from the

shore, and the water gaining on them, they found it necessary to run the boat ashore, which they did by getting up steam and working the larboard wheel, the other being entirely disabled from the breaking of the steam pipe.

Letters were produced from the captain which stated that he was trying to save all he could from the boat and cargo, and that he expected to do so to the extent that would probably amount to nine hundred dollars.

The defendants resisted the claims for payment on two grounds; first, that the loss was occasioned by the breaking of the steam pipe for which loss or its consequences, they were not liable under that clause in their policy, which says:

"The assurers not liable for the breaking of engine or bursting of boilers nor for any loss or damage accruing therefrom, unless occasioned by external violence."

Secondly, for barratry of the masters from which the insurers were free by a special clause in the policy where the insurance was for account of the owners of the vessel, as was the case in this instance, the defendants alleging that an act of barratry had been committed by the captain having absconded with the proceeds of the damaged goods.

As regards the first point of the defence, the committee, consider the clause was only meant to protect the insurers from bursting of boilers and the ordinary accidents to machinery, and any immediate damages to the hull from such accidents, as otherwise the insurer would be liable to continual claims for replacing ordinary wear and tear of machinery, and would have to keep all of it in constant good order, and did not in any way apply to this case where the original accident arose from stress of weather, and was certainly one of the risks intended to be covered by the policy, and was also justly entitled to be considered as caused by the external violence arising from the weather and heavy sea.

On the second point the committee did not consider the captain could, under the circumstances of the case, commit an act of barratry. After the vessel was wrecked, he became the agent of the underswriters, and not of the owners, and was acting for their benefit. There was, besides, no proof whatever that he had absconded, but on the contrary, so far as there was any proof at all on the subject before the committee, it led to the belief that he had been killed.

Under these circumstances the committee gave a decision in favor of the plaintiff for the full amount claimed under both policies with costs.

The following Tariff of Rates was adopted a short time since, to be in force hereafter in our City. We had not the space to publish it sooner.

<i>Tariff of Charges, etc., agreed upon and adopted by the New-Orleans Chamber of Commerce, at a Special Meeting held on the 2d November, 1846.</i>		Purchase and Shipment of Merchandise or Produce, 2½	
COMMISSIONS ON SALES.		Sales or purchase of Stock or Bullion, 1	
per ct.		Collecting and remitting Dividends 1	
Sugar, Cotton, Tobacco, Lead, 2½		Selling Vessels or Steamboats, 2½	
Flour, and other products of the soil, 2½		Purchasing do 5	
Domestic manufactures and all foreign merchandise, 5		Procuring Freights, 5	
Guarantee of Sales on time, 2½		Collecting Freights from foreign ports, 2½	
		Coastwise, 5	
		Outfits and Disbursements, 2½	
		Effecting Insurance, 1	

Adjusting and Collecting Insurance or other claims without litigation, 2½	Pork, Beef, Lard, Tallow,	
With litigation, 5	Whisky, etc. per bbl. 6	
Purchasing and Remitting Drafts, or Receiving and Paying Money on which no other Commission has been charged, 1	Flour, Grain, and other dry barrels, 5	
If bills remitted and guaranteed, in addition, 1½	Lard, Nails and Shot per keg 2½	
Bills and Notes remitted for Collection protested and returned, 1	Lead, per pig 1	
Landing, custody, and re-shipping Merchandise or Produce from vessels in distress, 2	Corn, Wheat, Beans, per bag 3	
Do. Bullion or Specie, 1	Oats and other Grain, per bag 3	
Adjusting and Collecting General Average, 5	LIQUIDS.	
Consignments of Merchandise withdrawn or re-shipped per order, on account of advances and responsibilities—full commission.	Pipes and hhds. 50	
On the surplus amount of Invoices of such consignments, deducting Advances and Liabilities—half commission.	Half pipes and tierces, 25	
Drawing, Endorsing, or Negotiating Foreign Bills of Exchange, ½	Quarter casks and barrels, 12½	
Do on Domestic Bills of Exchange, 1	SUNDRIES.	
Receiving, Entering, and Re-shipping merchandise to a foreign port—on amount of invoice, 1	Boxes, bales, cases, trunks, and other packages Dry Goods, 10 a 50	
On amount of Advances, Charges, and Liabilities on same, 2½	Earthen and Hardware, per package 25 a 50	
For Drawing, Accepting, Negotiating or Endorsing Notes or Drafts without funds, produce or bills of lading in hand, 2½	Iron and Castings, per ton \$1 00	
On Cash Advances, in all cases, 2½	Soap, Candles, Wine, etc. per box 0 02	
For Entering and Bonding Merchandise for the interior—on amount of Duties, Freight and Charges, besides the Regular Charges for Forwarding, 2½	Coffee, Spices, Salt, etc. per bag 0 25	
Agency for Steamboats—according to special contract.	Gunpowder, per keg 0 25	
The foregoing rates to be exclusive of Brokerage and Charges actually incurred.	STORAGE PER MONTH.	
Receiving and forwarding Merchandise, exclusive of Charges actually incurred.	Cotton and Wool, per bale 20c	
Sugar, Molasses and Tobacco, per bhd. 50c	Tobacco, per hhd. 50	
Cotton, per bale 50	Hemp per bale, not exceeding 300 lbs 10	
Hemp, 20	Do do do 450 lbs 15	
Moss, 10	Do do do 600 lbs 20	
Provisions or Bacon, per bhd. 25	Do do do 800 lbs 25	
Do. do. per tierce 12½	Moss, per bale 06	
	Bagging and Rope, 05	
	Peltries, 10	
	Hides, each 01½	
	Lead, per pig 01	
	Iron, per ton \$1 00	
	Bacon and Provisions, per hhd 25	
	Pork, Beef, Lard, Tallow Whisky, etc. per bbl 08	
	Molasses and Oil, 10	
	Flour, 05	
	Lard, per keg, 02½	
	Sugar and Molasses per bhd 40	
	Corn, Wheat, Oats, and other Grain, per bag 03	
	Coffee, Spices, etc. per bag 05	
	Salt, 03	
	Candles, Soap, Wine, Fish, Raisins, Oil, Sweetmeats, Cigars, etc. per box or basket 02	
	Do. in half boxes, 02	
	Nails, per keg 01	
	Dry Goods (as in bulk) per package, 10 a 50	
	Crockery, per cask or crate 25	
	Hardware, per cask 40	

Do.	per tierce	20	and naval stores,	6 bbls.
Do.	per bbl	10	Pig and bar iron, lead and other	
Liquids,	per pipe or hhd	40	metals or ore, heavy dye	
Do.	per half pipe or tierce	25	woods, sugar, rice, honey, or	
Do.	per quarter cask or bbl	10	other heavy articles, gross,	2240 lbs.
Claret,	per cask	20	Ship bread in casks, 672; bags,	
Gunny Bags,	per bale	08	784; bulk, 896 lbs.	
WEIGHT OF GRAIN PER BUSHEL.				
Wheat and Rye,	lbs.	60	Wines, brandy, spirits, and li-	
Corn,		56	quors generally, reckoning	
Oats,		32	the full capacity of the casks,	
TARE ON LARD.			wine measure,	200 gal.
In barrels	16 per cent.; half barrels	18	Grain, peas, beans, in	
	per cent.; kegs	20 do.	casks,	bushels 22
FREIGHTS.			Do do do in bulk	" 36
When vessels are chartered or goods			Salt, European,	" 36
shipped by the ton, and no special			" West India,	" 31
agreement respecting the proportion of			Stone coal,	" 28
tonnage which each particular article			Timber, planks, furs, peltry, in	
shall be computed at, the following re-			bales or boxes, cotton, wool,	
gulation shall be the standard:			or other measurement goods,	
That the articles the bulk of which			cubic feet,	40
shall compose a ton, to equal a ton of			Dry Hides,	lbs. 1120
heavy materials, shall in weight be as			When molasses is shipped by the	
follows:			hogshead, without any special agree-	
Coffee, in sacks,	1568 lbs.		ment, it shall be taken at 110 gallons,	
Cocoa, "	1120 do		estimated on the full capacity of the	
Pimento, "	950 do		cask.	
Coffee, in bags,	1830 lbs.		Freights (and commission on them)	
Cocoa, "	1300 do		when in sterling money, shall be set-	
Pimento, "	1100 do		tled at \$4 84 per pound sterling; and	
Flour,	8 bbls. of 196 lbs.		other foreign currency at the value	
Beef, pork, tallow, pickled fish			fixed by Congress.	

AMERICAN LIGHT HOUSES.

As our whole commerce and navigation are at the mercy of dangerous coasts, and the lives of hundreds and thousands of our citizens annually, it is a matter of as vital consequence that these coasts and bars be clearly indicated to the mariner in the night season, by a judicious management of lights and signals, as in the day by elaborate sea charts. We have expended annually immense sums in surveying the coasts and harbors of the country, but in relation to light houses, much complaint has been, and is still made, of a system altogether defective and inadequate to meet all the requisitions of a largely increasing maritime interest.

Two officers of the American Navy were lately sent to Europe to visit the principal lights, and examine the systems in use in England and on the continent. The results of their investigation were little creditable to our advance in these matters as contrasted with the advance of others, and the examiners

prepared and presented elaborate reports for the use of Congress and the country.

In the construction of our light houses and in the arrangement of lamps, are the chief deficiencies manifest. It is only from particular parts of the horizon these beacon lights are desired, and in these parts the chief intensity of the light should be concentrated; but the apparatus in use with us allows the rays to be diffused almost equally in every direction. This *concentration* is effected by means of an arrangement of lenses contrived by an ingenious French artist, M. Fresnels. The report of the Secretaries of the Treasury contain some interesting particulars of the invention and purposes of its adoption among us; the whole system to be placed under the direction and charge of a Bureau consisting of several military and naval officers, surveyors and engineers.

A harbor light, on the Fresnel, or lens system, says the Secretary, &c., of the smaller size of the fourth order, with a single mechanical lamp burning 19-16th ounce avoirdupois of oil per hour, would give twice as brilliant a light as the ordinary reflecting system, having a lamp burning 13-4 ounce avoirdupois per hour. The quantity of light on the horizon would be double, the cost of a given quantity of light one-half, and therefore the economy two-fold. As the apparatus increases in size from this to the higher orders, the advantage of the lens system increases. In the third order, second size, a mechanical lamp with a double wick, burning 63-4 ounces avoirdupois of oil per hour, gives as much light as fourteen lamps with reflectors, *each* burning 13-4 ounce avoirdupois of oil per hour. The useful effect is once and a half times, and the economy between three and four-fold. In the second order of lights the new system for equal useful effects is three times as economical as the old, reaching in the larger sizes to four-fold. A power equivalent to that of the first order of lens lights has not been reached by the reflecting system.

The cost of the erection of buildings for the new system of lighting, and the first cost of the apparatus itself, is somewhat more considerable, and the number of keepers required is greater than with the old; the repairs, on the contrary are much less. An accurate comparison of these particulars shows that in France the economy is in favor of the new system. Thus, taking into consideration the cost of tower, lantern, reflectors, or lenses, and of keeping up the light, the relative expense of the two plans for a small harbor light is as 236 to the new, to 226 of the old plan; while the quantity of light on the horizon is as 2 to 1 in favor of the new; and hence the economical effect is nearly double upon the new system. For a large revolving light (second order) the annual outlay of the old and new systems would be as 126 to 208 while the useful effect would be only as 1 to 2, and the economical effect of the new system would be more than once and a half that of the old. The cost for the ten apparatus might for the present be greater in our country; but the economy in lighting by the lens system is too great for this circumstance to turn the balance against it.

The mechanical lamp, used with these lights, or some other which Ameri

can ingenuity may supply, or the hydrostatic or pneumatic map in use in the English lighthouses, will replace with advantage the present imperfect lamp. In France, the mechanical lamp is found to require but small repairs, readily made in establishments where the lamps are constructed; and both construction and repairs would surely be practical here. The cost of repairs of the lens apparatus is in a series of years merely nominal, and experience has shown that it is more secure and more easily seen than the old. No important seacoast lights should be left without being watched by a keeper, and, in the economy in lighting, will much more than pay the cost of two keepers in the larger lighthouses.

Whether the rape-seed oil generally used in the French lighthouses may be employed in our own with advantage, is a question which cannot now be settled; it may, however be desirable to call the attention of farmers to the cultivation of the plant from which it is obtained.

THE CITY OF MOBILE.

We published in our last number the main statistics of the commerce and progress of Mobile, promising at an early day to furnish an elaborate paper on the same subject, through the kindness of a merchant of that city. We are not yet prepared to do this, and shall content ourselves with only a few additional facts, for which we are indebted to the Alabama Planter.

The heaviest merchantmen can cross the bar and lie in perfect security at Cedar Point, and free from wharf charges, while those of lighter draught can reach the city, with only the expense of pilotage. At New Orleans pilotage has to be paid, and also high rates for towage.

As one evidence of our superior position, we would mention our rapidly increasing trade with Spain and her West India possessions.

Then as to our resources. Nature has been beneficent to South Alabama. No region of the same extent on this continent possesses so many elements of comfort and wealth. The soil is of unusual fertility and equal to any in the cotton region for the production of our great staple, besides being well adapted to the culture of corn, wheat, potatoes, fruits—in fact, all the products that conduce to the well-being of man. As to climate, we are blessed with that happy medium, neither too hot nor too cold—as healthful and salubrious as any portion of the globe. The production of cotton has not yet reached its maximum, and in relation to other products, it is a standing complaint against our people that scarcely a beginning has been made. But there is a silent and strong incentive pushing on our planters to a more rational system of culture as well as economy. The fruits will be visible one of these days.

Then, look at our noble forests of timber, as yet scarcely touched. The time is not distant when the pine lumber trade will be greatly augmented.—Our ship timber, which is just attracting attention, will eventually form a considerable item of our exports. No country affords better timber, or in more abundance for staves, the trade in which will largely increase.

A large portion of the State we are now considering abound in bituminous coal of the best qualities so immense that, the few scientific gentlemen who have examined the subject hardly know where to set limits to it. Iron ore of the richest quality exists in profusion, and is convenient to any amount of water

power. In other places, sandstone, limestone, and marble of different hues and grades are found in the greatest abundance. In time, these valuable materials for building will be required by the progressive necessities of our citizens. They are elements of wealth to be found in unlimited quantities, within a country whose natural outlet is Mobile, and which is convenient to the navigation on which it depends. Will not these valuable qualities of our soil presently engage the attention of the industry of the State, and furnish to it resources that must result in the prosperity and wealth of the city?

It is preposterous to say that South Alabama has reached the limits of its resources, or that its citizens will always stand idle, with arms folded, unmindful of the wealth which a bounteous creator has scattered so profusely in every portion of the soil. The State is in its infancy, and what it has produced so far, compared with its means, is only the spontaneous effort of nature.—No careful system of agriculture has been applied to it—no industry has lent its skill to extract from the soil the immense wealth that lies hidden under the surface.

These elements of prosperity will be brought forth in good time, and the surplus, whether of husbandry, of the forest or the mines, must and will find a market in Mobile.

The Alabama, Warrior and Tombigby traverse a country, as we have said before, of unsurpassed fertility and at the same time abounding in the articles we have enumerated. These streams flow into the Mobile Bay—and will, no matter what efforts are made to divert the course of nature, empty their rich products into the lap of our goodly city.

These are our data for believing that Mobile is to be greater than she has yet been. The great fear seems to be that New Orleans is to swallow us up—wholly absorb us. It is perfect folly, nay, ignorance, to suppose that New Orleans or any other place can permanently draw away our trade to such an extent as to reduce the city to a starving place for the mere landing and re-shipment of goods.

Country merchants and planters may for a time be deluded with the belief that they can buy goods at a less cost in New Orleans than here. For a season this belief may lessen the trade of the city; but in time the compensation will be sure. When they have well paid for their folly, the progress of the city will begin, and we have no doubt their eyes will presently be opened wide.

All persons of experience must know that a Mobile merchant, buying and shipping thousands of barrels, can land them here more cheaply than the dealer of the interior, purchasing his hundred packages can. The business men of the present day have made up their minds to be satisfied with small profits; and with these profits, we are sure the Mobile merchants can supply the country dealers on better terms, and at as low prices as the vendors of N. Orleans.

THE PUBLISHING BUSINESS.

Early Jesuit Missions in North America.—New York: Wiley & Putnam's, 1846, in 2 vols.

This is a work in 2 volumes, compiled and translated from the original papers of the Jesuits, by the Rev. William Ingraham Kep. These pioneers of civilization in the New World, exhibited all that ardour and daring which belonged to the Apostolic age. They were deterred by no dangers, they regarded no privations, they despised all suffering; and in marching onward with the cross in the wilds of America, and amongst savage men, they exhibited in bold relief the highest virtues of the Christian character. "Amid the snow of Hudson's Bay, and on the woody islands and beautiful inlets of the St. Lawrence—by the Council fires of the Hurons and the Algonquins—at the sources of the Mississippi, where first of the white men, their eyes looked upon the falls of St. Anthony, and then traced down the course of the bounding river as it rushed onward to earn its title of Father of Waters; on the vast prairies of Illinois and Missouri—among the blue hills which hem in the salubrious dwellings of the Cherokees, and in the thick cane brakes of Louisiana—every where were found the members of the Society of Jesus.

The work may be had at D. BAKER & Co. Camp st.

The Farmers' Library for December; Edited by J. S. Skinner, New York: Greely & McElrath, 1846.

We have for the last twelve months received and read with much attention this work intended as the representative of American agriculture. The object appears to have been the collection of materials from every quarter, in reference to the growths and staples of the country, the best and most approved and productive modes of cultivation, etc. etc. Many admirable papers have appeared, and the engravings and wood cuts have often been of a most superior character. A considerable portion of each number is devoted to the republication of those valuable treatises which the agricultural scenery of foreign countries have given to the world. We have on several occasions differed from Mr. Skinner's views on subjects not intimately connected with agriculture, but within that pale he is altogether safe from any shafts whatever. The Farmers' Library has a liberal support at the South, and we cordially wish it to increase, entertaining as we do, the most kindly feelings towards the enterprise. J. C. Morgan is the Agent for this City.

Norman's Monthly Supplement.—As this paper is distributed gratis, and in connection with catalogues of new publications, contains much that would interest and instruct the planters, we have deemed it proper to call their attention to it. Mr. Norman has deserved well of this class of our community. He has made manly exertions to introduce and circulate standard agricultural works and periodicals, and has himself published a small work upon the subject, edited by Dr. Affleck and disposed of at about the cost of publication. We note in his paper that he intends sometime before the close of next year,

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to publish a regular journal of Agriculture, monthly or quarterly, which we are assured will meet with liberal encouragement.

Richardson's Dictionary of the English Language, 2 vols quarto: Philadelphia, E. H. Butler & Co., 1846.

We referred briefly in our last to this invaluable work, which has attained a reputation higher, we believe, than any other of a similar character in our language. We could not then do justice to its merits, and have but little space to do it now. The Dictionary contains over two thousand pages, and the authorities referred to in establishing the best usage, are most extensive, and arranged with great precision and neatness. The work was originally contributed to the *Encyclopædia Metropolitana*, and the American reprint of it is furnished at about one third of the expense of the English. So desirous are we of having extended in our country a knowledge of the construction and character of the language we speak, with all its peculiarities, that it affords us great pleasure to recommend this publication, which, we trust, will be found ere long in the library of every citizen, of whatever profession or pursuit.

Mr. Shaw is, we believe, the only agent for the work in this State.

A Brief Compend of American Agriculture—By R. L. Allen, 1846.

The American Agriculturalist—A. B. Allen, Editor, New York, 1846.

This compend of Agriculture, is made up from the best sources, and from the author's own experience. It is a neat volume of 300 pages, and Mr. Allen is now in this City, where he has established an agricultural warehouse. He will also be engaged in extending the circulation of the *American Agriculturalist*, a journal well and favorably known throughout the whole Union.

The Suppressed History of the Administration of JOHN ADAMS, (from 1797 to 1801,) as printed and suppressed in 1802.—By JOHN WOOD: now republished with Notes and an Appendix.—By JOHN H. SHERBURNE: Philadelphia, Walker & Gilliss.

The exciting period in the history of the United States embraced within the period above mentioned, will ever excite a lively interest in every American. A deep and fervent regard to the events of that time has rather increased than diminished by the lapse of years, showing plainly that we love that philosophy which teaches by example. This is evinced, too, by the rapid sale of the work. We notice, two large editions having already been exhausted, and a third being but to press. The Editor, (who is also the author of the first and only authentic life of Paul Jones—he being the latter's executor,) has explained in the Introduction the manner in which the work came into his hands. We have heard that the Hon. J. Q. Adams was consulted respecting its publication, and that he had no objection thereto. However, we do not enter into the political controversies of the day, and simply inform the reader curious in the matter, that the work can be had of Mr. WOODALL, Camp street.

Poems of William Cullen Bryant, with illustrations—By E. Leatze: En-

graved by American Artists: Philadelphia, Carey & Hart, 1847; New-Orleans, J. C. Morgan.

We have perused the above work, got up in the best American style, and adorned with elegant engravings, including a portrait of the author. The celebrity of this most brilliant and original of all the American Poets, renders it unnecessary to say anything in its praise. His Poem entitled *Thanatopsis*, cannot be too highly commended:—

“So live, that when thy summons come to join
The innumerable caravan that moves
To that mysterious realm, where each shall take
His chamber in the silent halls of death,
Then go not like the quarry-slave at night,
Scourged to his dungeon, but sustained and soothed
By an unfaltering trust, approach thy grave,
Like one who wraps the drapery of his couch
About him, and lies down to pleasant dreams.”

The work may be had at J. C. Morgan's Book Store, No. — Exchange Place.

The Life of Joseph Addison—By Lucy Aiken: complete in one volume: Philadelphia, Carey & Hart, 1846.

We have not had sufficient time to form an opinion of the merits of this work, but do not hesitate to recommend it to the public on the strength of the reputation of the distinguished authoress of biographies of several of the British Sovereigns. It contains the epistolary correspondence of Addison with the most celebrated men of his times. The work is to be found at the Book Store of J. C. Morgan, Exchange Place.

Heroes and Hero Worship—By Thomas Carlyle—Revised Edition—New Work: Wiley and Putnam.

Sartor Resartus—By Thomas Carlyle—Revised Edition—New Work: Wiley and Putnam.

The above works, by the original and eccentric author of the “*Letters of Oliver Cromwell*,” which added so much to his fame, have been recently received by him, and now form a portion of “*Wiley & Putnam's Library of Choice Reading*.” They are for sale at the Book Store of D. Baker & Co., 80 Camp street, New-Orleans.

The Poets and Poetry of Europe—By Henry W. Longfellow: Philadelphia, Carey & Hart, 1846.

Lady of the Lake—By Sir Walter Scott: Carey & Hart.

Hawker on Shooting, with notes and additions—By Wm. T. Porter: Carey & Hart.

The Poets and Poetry of America—By Rufus Wilmot Griswold: Carey & Hart. [J. C. Morgan.]